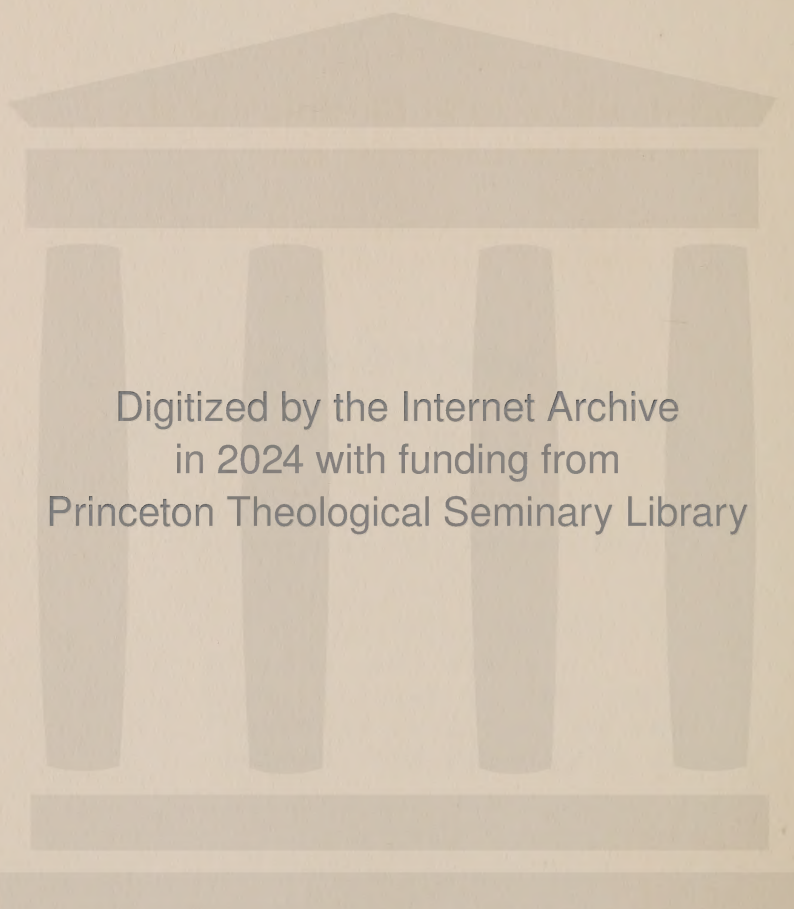


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FINANCIAL RELATIONS OF THE PAPACY
WITH ENGLAND TO 1327

(*STUDIES IN ANGLO-PAPAL RELATIONS
DURING THE MIDDLE AGES, I*)

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STUDIES IN ANGLO-PAPAL RELATIONS
DURING THE MIDDLE AGES, I

FINANCIAL RELATIONS
OF THE PAPACY WITH
ENGLAND TO 1327

by

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THE MEDIAEVAL ACADEMY OF AMERICA
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TO THE MEMORY OF
CHARLES HOMER HASKINS

PREFACE

THE nucleus from which this study grew was a dissertation for the doctorate on certain aspects of the subject during the reigns of Edward I and Edward II. That part of the research was done under the inspiring direction of the late Professor Charles H. Haskins. The guidance in the interpretation of the sources which he gave me then has been of the utmost value to me ever since. On the economic phases of the subject Professor Edwin F. Gay drew freely from his profound knowledge to give me advice which was much desired and highly appreciated. From the late Professor Charles Gross, who was engaged upon research in the English archives when I began my initial work in them, I received with gratitude opportune help in the solution of problems as they arose from the manuscripts and suggestive critical comments as the draft of the essay was being written. To Harvard University I am grateful for the grant of the Ozias Goodwin Memorial Fellowship and of a Frederick Sheldon Fellowship which enabled me to carry on the necessary research in the archives.

After further years of research conducted as other more immediate tasks permitted, the work became part of a cooperative project. This had for its purpose the study of several associated aspects of papal relations with England in the middle ages through the joint endeavors of a number of students engaged upon research in the general field. The project was organized in 1931 under the auspices of the Mediaeval Academy of America, and it has received guidance and assistance from that institution in many ways. The cost of the organization and maintenance of the cooperation and the expenses of the essential searches in archival materials were met by means of a generous grant of funds made to the Academy by the American Council of Learned Societies. The publication of the present volume is rendered possible by financial grants from the Academy and the Council. I am happy to thank them both for their support. Without it the work might never have been completed.

For the publication of works in the general field, the Academy has established the series *Studies in Anglo-Papal Relations during the Middle Ages*, the present volume being the first in the series. It is anticipated that other results of the research embraced by the project will appear in the same series in due course.

The help which came from the other collaborators in the project was extensive. One of the principal purposes of the cooperation was to save time in searching manuscripts. Each collaborator noted in the manu-

scripts examined by him the items relating to the subjects being studied by the others. The recipients of the notes could then gather from these manuscripts the evidence of significance to them without the necessity of searching every page of a codex or every document in a series. For several months I worked in the Vatican Archives shoulder to shoulder with Professors Edgar B. Graves and Alfred H. Sweet. In large part each perused different sets of records and brought evidence of use to the others to their attention as he came upon it. One summer Professor Sweet and I explored the muniments in different English diocesan and capitular archives and exchanged information as we obtained it, and during another summer Professor Hugh MacKenzie and I followed the same practice. By these scholars and also by Miss Ann Deeley I was provided with similar references to manuscripts deposited in still other archives. When a draft of the monograph had been completed, it was read by Professors Graves, MacKenzie, and Sweet, whose knowledge of the field and acquaintance with the many sources which we had used in common enhanced the value of their suggestions. By no means the least important benefit derived from the association with my colleagues has been the stimulating interchange of views on our many common problems.

My thanks go also to Professors Austin P. Evans and George La Piana, who read the manuscript and made constructive criticisms which resulted in its betterment, and to Dr Hubert Hall and Professor F. M. Powicke, who supplied introductions which helped to open the doors of several archives.

The cordiality of the treatment accorded me in the repositories of manuscripts is one of the treasured memories associated with my research. The archives are named in the 'List of Sources Cited.' Their keepers and possessors gave me ready access to the records in their charge, even though some of them who had other duties could accommodate me only at inconvenience to themselves. Many of them also supplied from their full and scholarly knowledge information which helped me to find the documents pertinent to my subject.

To the editors of the *English Historical Review* I am indebted for permission to incorporate some paragraphs of an article on 'Papal Taxation in England in the Reign of Edward I' which was published in volume xxx of the *Review*.

In the last stage of seeing the book through the press I have received welcome assistance from Mr G. W. Cottrell Jr, the Executive Secretary of the Academy.

Haverford, Pennsylvania
11 February 1939

W. E. LUNT

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LIST OF ABBREVIATIONS

- A.H.R.*—*American Historical Review*.
Ann.—*Annales* or *Annals*.
Arm.—Armario, part of the press-mark of certain series of documents in the Vatican Archives.
C.C.R.—*Calendar of Close Rolls*.
C.P.R.—*Calendar of Patent Rolls*.
Cal.—*Calendar*.
Cal. Pap. Regs. Letters—*Calendar of Entries in the Papal Registers Relating to Great Britain and Ireland: Papal Letters*.
Cart.—Cartulary or Cartularium.
Chart.—Chartulary.
D.N.B.—*Dictionary of National Biography*.
E.H.R.—*English Historical Review*.
Exch. K. R.—Exchequer King's Remembrancer.
H.M.C.—Historical Manuscripts Commission.
Inst. Misc.—Instrumenta Miscellanea.
K. R. Memo. Roll—Exchequer King's Remembrancer Memoranda Roll.
L.T.R.—Lord Treasurer's Remembrancer.
L.T.R. Memo. Roll—Lord Treasurer's Remembrancer Memoranda Roll.
M.A.H.—*Mélanges d'Archéologie et d'Histoire*.
M. G. Const.—*Monumenta Germaniae Historica, Constitutiones*.
M.G.SS.—*Monumenta Germaniae Historica, Scriptores*.
M.O.G.—*Mitteilungen des Instituts für oesterreichische Geschichtsforschung*.
Mon.—*Monumenta*.
Oblig.—*Obligationes et Solutiones Registers*.
Q.u.F.—*Quellen und Forschungen aus italienischen Archiven und Bibliotheken*.
R.Q.H.—*Revue des Questions historiques*.
Reg.—Register, Registrum, Registre, Regestum or Regesta.
Reg. Avin.—Regesta Avinionensia.
Rot.—*Rotuli*.
T.R.H.S.—*Transactions of the Royal Historical Society*.
Vet.—*Vetus* or *Vetera*.

FINANCIAL RELATIONS OF THE PAPACY
WITH ENGLAND TO 1327

CHAPTER I

PETER'S PENCE

1. ORIGIN AND DEVELOPMENT IN THE ANGLO-SAXON PERIOD

PETER'S pence constituted the first revenue received from England by the papacy with sufficient regularity to distinguish it from the casual gifts and offerings with which the early Anglo-Saxon Christians generously expressed their devotion to the apostolic see. Though the institution itself may be traced far back into the Anglo-Saxon period, the name appears to have been used in England commonly only after the Norman conquest.¹ In the Anglo-Saxon laws it was most frequently designated as 'Romfeoh,' and in related documents it was sometimes called 'Romepenny.'² The identity between 'Romfeoh' and Peter's pence is established by the Latin translations, written after 1066, of the ninth chapter of the first set of Canute's laws. The *Quadripartitus* supplied the gloss on the 'Romfeoh' of the original law: 'It is the census of Rome which ought to be rendered annually to St Peter,' and the *Instituta Cnuti* translated 'Romfeoh' as 'the money of Saint Peter.'³ The latter also explained that the Angles called the payment 'Romescot,' a term which appears to have become current first in the eleventh century.⁴ The due was also termed 'hearthpenny,' though this word may have had other meanings.⁵

The earliest mention of Peter's pence under any of these names occurs in the laws which were probably issued by Edward or Ethelstan between 921 and 938.⁶ Peter's pence, however, was probably being paid in the

¹ It is described as 'denarii quos Rome ad Sanctum Petrum debemus' in the Latin translation of Canute's letter of which we have no original, but the translation was written after 1066: Liebermann, *Gesetze*, I, 277; III, 189. There are several examples of its usage in the Norman period: *Leis Willelmi*, c. 17; *Leges Edwardi Confessoris*, c. 10.

² Liebermann, *Gesetze*, I, 252, 384, 474; II, 187; Thorpe, *Ancient Laws*, II, 256; Napier, *Wulfstan*, pp. 118, 272, 311. At a later time 'Romepeny' and 'Petrespeny' were used as synonyms: 'Vita Sancti Ethelberti' in Giraldu Cambrensis, *Opera*, III, 423.

³ Liebermann, *Gesetze*, I, 292, 293; III, 308, 309, 330.

⁴ Liebermann, *Gesetze*, I, 474; III, 267.

⁵ *Ibid.*, I, 198, 199; II, 506; Neilson, *Customary Rents*, pp. 200, 201. In one manuscript of a homily of Wulfstan 'hearthpenny' occurs where 'Romepenny' is used in two other manuscripts: Napier, *Wulfstan*, p. 116.

⁶ Liebermann, *Gesetze*, I, 130. In the preamble of this set of laws the legislation is said to have been enacted by Alfred and Guthrum, repeated by Edward and Guthrum, and subsequently amended by the witan. Liebermann regards this statement as pure invention: *Gesetze*, III, 87. Jensen accepts it as genuine, and so he carries Peter's pence back to 878: 'Denarius Sancti Petri,' *T. R. H. S.*, new ser., xv, 190.

time of King Alfred. In the laws of the tenth and eleventh centuries it appears that the due was paid annually by the king's subjects¹ to the bishops,² and that the proceeds, as the name 'Romfeoh' implies, were forwarded to Rome.³ The Anglo-Saxon Chronicle noted that the alms of the West Saxons and of King Alfred were carried to Rome in 887, 888 and 890, and the lack of any such journey in 889 was exceptional enough to cause comment in the annal for that year.⁴ Ethelwerd, who repeated some of these items and added a similar statement concerning King Edward under the year 908, explained that the money dispatched to Rome in 887 was paid from the dioceses.⁵ The alms of King Alfred and his people are so similar in these fundamental aspects to the 'Romfeoh' of the later laws that they may be assumed to have constituted the payment later known as Peter's pence.⁶ Two further considerations add weight to the assumption. The laws of Edward the Confessor, compiled in the first half of the twelfth century, claimed that one who failed to pay Peter's pence at the prescribed date was justiciable in the king's court because the penny was royal alms.⁷ The first law which mentioned Peter's pence imposed a fine for delay of payment without statement of the amount. The law seems to have assumed that the amount of the fine was already established by custom, and so to have implied that the tax was more ancient than the law.⁸

The story of Peter's pence previous to 887 becomes lost in an impenetrable fog. A strong probability points to some Anglo-Saxon king as the founder of the institution. This origin was assigned to Peter's pence by all English chroniclers of the twelfth, thirteenth and fourteenth centuries who treated the subject, though they did not agree upon the king, and some who accepted the same king ascribed the beginning to different acts of that king.⁹ The penalties imposed by Anglo-Saxon laws for failure to pay Peter's pence on time imply that the royal authority was more concerned to secure payment of this tax than of more purely ecclesiastical dues such as tithes. The laws issued between 921 and 938 imposed a *wite* of unspecified amount for the nonpayment of both,¹⁰ but

¹ Liebermann, *Gesetze*, I, 130, 198, 199, 240, 292.

² *Ibid.*, I, 292, 384, 504, 557.

³ *Ibid.*, I, 198, 199.

⁴ I, 158, 159; II, 68.

⁵ *Chron.*, pp. 517, 519.

⁶ Others have made the assumption, but, so far as I am aware, not for the same reasons: Lingard, *History of the Anglo-Saxon Church*, I, 283, 284; Fabre, *Étude*, p. 132; Jensen, 'Denarius Sancti Petri,' *T. R. H. S.*, new ser., xv, 181-83.

⁷ Liebermann, *Gesetze*, I, 634.

⁸ Below, p. 23.

⁹ Below, pp. 6-10.

¹⁰ Liebermann, *Gesetze*, I, 130, 131.

Edgar made the penalties notably different. He decreed that the fine for delay in the payment of tithes should go in equal portions to the culprit's lord and to the bishop.¹ If a man did not pay the Peter's penny at the prescribed date, his penalties included payment to the king of the *oferhyrnes* of 120 shillings,² which was the special fine for the violation of a royal command.³ The principles of both of Edgar's laws were retained until the time of Canute,⁴ who was the last Anglo-Saxon king to enact legislation which has been preserved, and in the legal compilations of the Norman period not only was the *oferhyrnes* kept,⁵ but also pleas concerning the detention of Peter's pence were designated as belonging to the king's justice.⁶ The Anglo-Saxon kings and their Norman successors manifestly regarded Peter's pence as a royal institution. At the close of the Anglo-Saxon period the popes appear to have taken the same view. The earliest requests of the papacy for the render of Peter's pence of which we have record were either addressed directly to one of the first three Norman kings⁷ or were directed to the archbishop of Canterbury asking him to intercede with the king for the dispatch of the money.⁸ Unless our record is incomplete, a pope first ordered the English prelates to send Peter's pence to Rome in 1116.⁹ William the Conqueror, writing to Gregory VII of Peter's pence, referred to 'the money which my predecessors were accustomed to send to the Roman church,'¹⁰ and such meagre evidence of the previous practice as exists indicates that the conqueror knew whereof he spoke. The phrase used by the Anglo-Saxon chronicler, 'the alms of the West Saxons and of King Alfred,'¹¹ implies a payment made by the king as the head of the people, and Ethelwerd, in his account of the same event, expressed this idea exactly.¹² William the Conqueror and his sons certainly made themselves responsible for the transmission of the money to the apostolic see.¹³

¹ *Ibid.*, I, 196-99.

² *Ibid.*, I, 198, 199.

³ Schmid, *Gesetze*, p. 638.

⁴ Liebermann, *Gesetze*, I, 265, 292.

⁵ The fine is placed at 40s. or 50s., but the Norman shilling was worth about three Anglo-Saxon shillings: Liebermann, *Gesetze*, II, 611; *idem*, 'Peter's Pence and the Population,' *E. H. R.*, XI, 745. The *Instituta Cnuti*, written after the conquest, in a paraphrase of Edgar's laws, converts the fine from 120s. to 40s.: Liebermann, *Gesetze*, I, 199.

⁶ Liebermann, *Gesetze*, I, 504, 505, 557, 634; Harl. MS. 667, fol. 256.

⁷ Migne, *Patrologia*, CXLVIII, 344, 345; Ellis, *Original Letters*, third ser., I, 15.

⁸ Migne, *Patrologia*, CLI, 286; CLXIII, 80; below, p. 34.

⁹ Below, p. 39.

¹⁰ Ellis, *Original Letters*, third ser., I, 15.

¹¹ II, 68.

¹² *Chron.*, p. 517.

¹³ Ellis, *Original Letters*, third ser., I, 15; Migne, *Patrologia*, CLI, 287; Liebermann, *Quadripartitus*, pp. 151, 152. On one occasion William I sent part of the sum due and announced that the remainder would be transmitted by Lanfranc's messengers. They were evidently acting merely as agents of the king.

The two other authorities who conceivably might have established Peter's pence were the papacy and the English clergy. The probability that either did is remote. Papal institution presumably would have given to the tax a more universal character. Peter's pence was received from England for many years before it was levied elsewhere, and during the middle ages the custom spread only to a few of the northern countries.¹ Unless Peter's pence was a notable exception, moreover, the papacy did not place such a compulsory burden upon laymen outside of its own domains during the course of the middle ages. The antipope, Clement III, attributed the origin of the impost to the English clergy, when he designated it, in a letter written to Lanfranc in 1088 or 1089, 'the oblation ordained by your predecessors,'² but his assertion has little weight, since the papal records were not available to his court. The collection of Peter's pence by the bishops might indicate a clerical origin, had the bishops not been responsible for the proceeds to the king rather than to the pope.³ It seems far more probable that Peter's pence first came to the papacy as voluntary alms contributed by the Anglo-Saxon people at the instance of the king, developing later into an impost of which the papacy could compel payment by the bishops, than that it began as a tax imposed by papal or English clerical authority.

However heavily the balance of probability may be weighted in favor of an Anglo-Saxon king as the originator of Peter's pence, the vexed problem of which king remains. The traditions found in chronicles of a later day name three different kings as founders. The earliest extant form of the tradition which ascribes the position to Ine, who ruled Wessex in the closing years of the seventh century and the opening years of the eighth, is found in the tract *De primo Saxonum Adventu*,⁴ which was probably written about 1138 or 1139.⁵ It states simply that Ine 'is said to have given to St. Peter at Rome an annual penny from each house of his kingdom.'⁶ Wace, who finished *Le Roman de Brut* in 1155,⁷ related the story in virtually the same form.⁸ Layamon, who completed his

¹ Lunt, *Papal Revenues*, I, 67.

² Liebermann, 'Lanfranc and the Antipope,' *E.H.R.*, xvi, 332.

³ Liebermann, *Gesetze*, I, 253, 277, 292, 384; Napier, *Wulfstan*, p. 116; Ethelwerd, *Chron.*, p. 517. One bit of evidence may be interpreted to mean that they were sending the money to Rome, but it more probably means that they were sending it to Canterbury: below, p. 26.

⁴ Tait, note in John de Reading's *Chron.*, p. 323.

⁵ Gross, *Sources*, no. 1363.

⁶ Symeon of Durham, *Opera*, II, 371.

⁷ Gross, *Sources*, no. 1859.

⁸ Ed. by Le Roux de Lincy, II, 294, 295. He attributed its renewal to Edward the Elder, the father of Ethelstan. Layamon, who followed Wace but diverged from him in many particulars of the story of Peter's pence, ascribed the renewal to Ethelstan: ed. by Madden, III, 285, 433, 434.

Brut about 1204,¹ followed Wace in attributing the gift of Peter's pence to Ine, but he said definitely that 'Inne was the first man that began Peter's penny.'² Roger of Wendover embroidered the tale. As he told it, when Ine abdicated in 727 and made his pilgrimage to Rome, he built a house in the city for a school of the Angles, which was intended to provide proper instruction in catholic faith and doctrine for English kings, bishops, priests and clerks. In association with this establishment he arranged for the annual payment of a penny by each family of Wessex and the transmission of the money to St Peter and the Roman church for the aid of the English dwelling in Rome.³ Matthew Paris repeated this legend, but he managed to stamp it with his particular brand of prejudice by adding that the school fell into disrepair, because the avarice of the Romans deprived it of its revenues, and it was consequently restored by Offa.⁴

The surviving evidence contemporary with Ine's reign provides no nucleus from which such a tradition might have grown. Bede told of Ine's resignation of the crown and his pilgrimage to Rome, but he said naught of the establishment of Peter's pence, or of any gift made by Ine to St Peter or the Anglo-Saxon school.⁵ Indeed, he mentioned neither Peter's pence nor the school in the course of his *Ecclesiastical History*.

Another tradition makes Offa II of Mercia play the role of founder. Henry of Huntingdon, who wrote between 1130 and 1154,⁶ appears to have been the first author to embody this tradition in his pages. Offa, he said, 'gave in perpetuity to the vicar of St. Peter . . . a fixed revenue from each house of his kingdom.'⁷ Some later historians repeated this

It may have been this statement which was the basis of the ascription of the foundation of Peter's pence to Ethelstan in a memorandum preserved inside the cover of the second volume of the register of Bishop Orlton (1327-34) in the Worcester Diocesan Registry. The memorandum is said to be based on the histories of Marianus Scotus and William of Malmesbury and on 'De Gestis Anglorum' by Alexander, formerly bishop of Lincoln. It is not supported by Florence of Worcester, who made the work of Marianus the basis of his chronicle, nor by William of Malmesbury. I have discovered no historical work by Alexander, who was bishop of Lincoln from 1123 to 1148. At his request Geoffrey of Monmouth wrote the prophesies of Merlin, which he incorporated in his history. Wace's *Brut* was derived largely from Geoffrey's *History*, but the *History* does not mention Peter's pence. The chronicle which appears most likely to have been ascribed to Alexander was Henry of Huntingdon's, which was written at the suggestion of Alexander and dedicated to him. Henry, however, ascribed the origin of Peter's pence to Offa.

¹ Gross, *Sources*, no. 1809.

² III, 285.

³ *Flores Historiarum*, I, 215, 216.

⁴ *Chron. Maj.*, I, 330, 331. Later in his narrative he told the story of Offa quite differently: below, p. 8.

⁵ Bk. v, ch. 7.

⁶ Gross, *Sources*, no. 1801.

⁷ *Historia Anglorum*, p. 124.

statement with little change.¹ Robert of Torigni added the significant interpretation that the revenue was called Romescot,² and a writer of the fifteenth century, who had Offa make the gift while visiting Rome, noted that he was said to have been the first to give the census called 'Romepeny or Petrespeny' to God, St Peter and the papacy in perpetuity.³ The historical school at St Albans complicated this comparatively simple story. According to the version given in *Gesta Abbatum*, which was written after 1204,⁴ Offa founded a school for foreigners at Rome, in order that they might learn the languages which they did not know, and granted Peter's pence from the greatest part of his kingdom for its maintenance.⁵ Matthew Paris recorded in his *Chronica Majora* a different version, which he obtained from a life of Offa compiled at St Albans in the closing years of the twelfth century or the early years of the thirteenth.⁶ Offa, he said, went to Rome in 793. While there, he entered the school of the Angles 'which flourished at Rome' and gave for every future day of each year for the support of his subjects who should come to Rome a penny from each family which had an income of more than thirty pence from its estate exclusive of its house.⁷

The seed-plot of this tradition may have been a letter which Pope Leo III wrote in 797 or 798 to Cenulf, Offa's successor, asking for continuance of the 365 mancuses which Offa had promised in a synod attended by papal legates to give annually in perpetuity to St Peter for alms for the poor and for the lights of the church.⁸ The synod was held at Chelsea in 787.⁹ Since there seems to be no reason to doubt the authenticity of the document,¹⁰ the tradition in its simple form is verified, if it be assumed that Offa arranged to obtain the money by placing an annual household tax upon his subjects. Such an assumption is warranted, however, by

¹ Roger de Hoveden, *Chron.*, I, 22; Thomas of Elmham, *Historia S. Augustini, Cantuariensis*, p. 333.

² *Chron.*, IV, 97.

³ Brompton, *Vita S. Ethelberti*, in Giraldus Cambrensis, *Opera*, III, 423.

⁴ It may be the elaboration of a version written in the twelfth century: Riley, *Introd. to Gesta Abbatum*, I, pp. xiv, xv. That it was written in its present form after 1204 is proved by the reference to the conversion of the school into the hospital of Santo Spirito, which took place in 1204: Stevenson, *ed. of Asser's Life*, p. 247.

⁵ *Gesta Abbatum*, I, 5.

⁶ Riley, *Introd. to Chron. Maj.*, I, pp. xxxii, xxxiii, lxxx.

⁷ *Chron. Maj.*, I, 358-60. The same version is given in *Flores Historiarum* attributed to Matthew of Westminster, I, 399. The Offa tradition is noted also in a cartulary of Chichester compiled in the second half of the fourteenth century: Chichester Diocesan Registry, Liber E, fol. 261^v.

⁸ Haddan and Stubbs, *Councils*, III, 523-25. Liebermann denies the perpetuity of the gift: *Gesetze*, II, 608. The crucial phrase is corrupt in its syntax, but I see no way to construe it other than to the effect that the gift was perpetual.

⁹ Haddan and Stubbs, *Councils*, III, 444-46, 461.

¹⁰ Woker questions it, but he gives no reason except that the text is corrupt: *Finanzwesen*, p. 34.

no contemporary evidence. The elaborated form of the tradition is still more difficult of acceptance, because any contemporary notice that Offa went to Rome is lacking.

William of Malmesbury was the first author in whose surviving works the third tradition was formulated. In his *Gesta Regum*, which was finished in its first form in 1125,¹ he said of King Ethelwulf of Wessex: 'Having settled his kingdom he went to Rome, and there he gave to St Peter in the presence of Pope Leo IV the tribute which England pays to this day.'² Of the subsequent historians who reproduced this tradition, one explained that the tribute was called 'Romescot' in English,³ and others added that Ethelwulf was the first to grant Peter's pence.⁴ A third group embellished the story. As they recounted it, Ethelwulf saw many people in Rome doing penance in chains. He obtained from the pope the privilege that Anglo-Saxons should never be compelled to perform such penance outside of England,⁵ and in return conceded Peter's pence to the pope.⁶

Another form of this tradition associates the establishment of the due not with Ethelwulf's journey to Rome in 855 but with his testament which was made after his return during the two remaining years of his life.⁷ In his will, as recorded by Asser, he ordered 300 mancuses to be sent yearly to Rome. One hundred were to be used for the lights of the church of St Peter, 100 for the lights of the church of St Paul, and 100 for the pope.⁸ William of Malmesbury mentioned this bequest,⁹ but he did not connect it with the grant of Peter's pence.¹⁰ Higden, writing in the fourteenth century, brought the two together, though he kept them distinct. He had Ethelwulf grant a penny annually to St Peter from every house in his kingdom in return for the papal privilege with regard to penance, and in addition 300 marks to be sent to Rome annually.¹¹ At

¹ Gross, *Sources*, no. 1815.

² I, 152.

³ *Landboc de Winchelcumba*, I, 2.

⁴ *Ann. Cestrienses*, p. 12; Robert of Gloucester, *Chron.*, II, 824. A register compiled at Evesham between 1418 and 1433 contains what appears to be a garbled form of this tradition. It has Alfred grant Peter's pence on his trip to Rome, and has the pope free all the churches of Alfred's kingdom from royal tribute: Cotton MS. Titus C IX, fol. 32.

⁵ The acquisition of this privilege was also attributed to Canute: Gaimar, 4738-44, cited by Liebermann, *Gesetze*, II, 609.

⁶ *Ann. de Wintonia*, p. 9; Higden, *Polychronicon*, VI, 316.

⁷ Asser, *Life*, p. 14. Plummer places his death on 13 January 858: *Life and Times of Alfred*, p. 84.

⁸ Asser, *Life*, p. 15.

⁹ *Gesta Regum*, I, 170.

¹⁰ Stevenson suggests that he did identify the bequest with Peter's pence: Asser, *Life*, p. 211, n. 2. William speaks of the two events in different parts of his chronicle and, so far as I can see, uses no words which indicate any association of the two in his thought. He states that the tribute was established while Ethelwulf was at Rome and that the will was drawn up after his return to England.

¹¹ *Polychronicon*, VI, 316.

Canterbury, in the same century, the origin of Peter's pence was being attributed to Ethelwulf's bequest. In the archdeacon's Black Book a bull of Pope Gregory concerning the distribution of Peter's pence among the English dioceses was followed by the explanation that, according to the chronicles, Ethelwulf, in 857, had been the first monarch to grant 300 mancuses to Rome. The mancus was asserted to be the equivalent of the mark, and the total sum of Peter's pence given in the bull was approximately 300 marks.¹ This interpretation of the evidence, which leads to the conclusion that Ethelwulf's bequest marked the beginning of Peter's pence, was set forth still more clearly in a Canterbury register of later date.²

Parts of both of these traditions with regard to Ethelwulf are substantiated by contemporary evidence, but not the whole of either one. Ethelwulf went to Rome in 855,³ though he probably did not arrive until after the death of Leo, which occurred on 17 July of that year.⁴ He gave rich presents to St Peter, which are described in the life of Benedict III,⁵ but there is no contemporary proof of a gift made in perpetuity on this occasion. That Ethelwulf bequeathed 300 mancuses in perpetuity by his will rests upon the authority of Asser. Since he was intimately acquainted with King Alfred, who knew the terms of his father's will, and the document itself was extant in Alfred's reign,⁶ the probability that Asser reported this clause of it correctly is strong. Stevenson objects that Ethelwulf 'could hardly charge his heirs for ever with payment of three hundred mancuses yearly, . . . for his interest in the estates of his family was only a life one.'⁷ It was often the primary purpose of an Anglo-Saxon testator, however, 'to impose charges in favour of the churches on those unnamed men who will succeed to his land,'⁸ and we have Maitland's *dictum* that in the Anglo-Saxon period 'no precise law is evolved as to when and how and over what a man may exercise power of testation.'⁹ Possibly Stevenson's objection holds valid so far as it applies to folkland,¹⁰ but Ethelwulf possessed bookland over which he had

¹ Black Book of the Archdeacon of Canterbury, fols. 20, 20^v.; H.M.C., *Sixth Report*, app. p. 498; British Museum, Arundel MS. 220, fol. 6.

² Muniments of Dean and Chapter of Canterbury, XYZ Library, MS. C xiv, fol. 1. This tradition, as well as that which associates the origin with Offa's trip to Rome, is found also in a Chichester register: Chichester Diocesan Registry, Liber E, fol. 261^v.

³ Asser, *Life*, p. 9; *Anglo-Saxon Chronicle*, i, 124, 125.

⁴ Stevenson, note to Asser's *Life*, p. 245; Plummer, *Life*, p. 76.

⁵ *Liber Pontificalis*, ii, 148.

⁶ Stevenson, note to Asser's *Life*, p. 210.

⁷ *Ibid.*, p. 211. ⁸ Pollock and Maitland, *English Law*, ii, 321.

⁹ *Domesday Book*, p. 298.

¹⁰ An ordinary testator could not dispose of folkland by will without the consent of the king: Hazeltine in Whitelock, *Anglo-Saxon Wills*, p. xxxv.

testamentary power in theory,¹ even if there was a possibility that his heirs might break any testamentary disposition of it outside the family.² Ethelwulf may not have intended the annuity to be a charge on the estates of the family. Asser states that he arranged for the division of his kingdom among his sons, of his heritage (*propriae hereditatis*) among his sons and his daughter, and of his *pecunia* among his sons and his nobles and for the good of his soul.³ Since the gift to Rome was made for the welfare of his soul, Asser's implication seems to be that it was derived from his chattels.⁴ Perhaps the sum of 300 mancuses was designed to be a permanent charge on the royal revenues. Anglo-Saxon kings had previously made perpetual grants of portions of their revenues.⁵ The theory which makes this bequest the origin of Peter's pence, because the amount is the same as that which the pope received for Peter's pence, is too simple. The mancus was not the equivalent of the mark; it was only the eighth of a pound.⁶ There is, moreover, no contemporary evidence of the taxation of the king's subjects to provide the 300 mancuses.

What reliance may be placed upon these traditions cannot be determined with certainty. It is interesting to note what a scholar of the period of the renaissance deduced from them. Peter Griphus of Pisa, a professor of both laws and a papal prothonotary, served as papal collector in England during the pontificate of Julius II (1503-13).⁷ He wrote a history and description of the English collector's office, which, by its style and its allusions to classical authors, demonstrates that he was a disciple of the new learning. From an examination of English chronicles and documents and of Roman histories he concluded that from the time of St Augustine to the pontificate of Leo IV (847-55) nothing was paid from England to the Roman church, unless procurations were paid to legates and nuncios of the apostolic see who were sent to the island. The payment instituted by Ine in 690 or thereabout and confirmed by Offa was used for the maintenance of the English school which one of the Anglo-Saxon kings had built at Rome and was not rendered to

¹ Maitland, *Domesday Book*, pp. 246, 247.

² *Ibid.*, p. 298.

³ Asser, *Life*, pp. 14, 15. It was already customary in the Anglo-Saxon period for a man to distribute some of his goods for the good of his soul: Pollock and Maitland, *English Law*, II, 321.

⁴ I am none too confident that *pecunia* should be translated 'chattels' in this context. The mention of personal property in wills was uncommon before the middle of the tenth century: Whitelock, *Anglo-Saxon Wills*, p. 100. Possibly *pecunia* means all property not included in the kingdom and the heritage. If so, did it include bookland as well as personal property?

⁵ Maitland, *Domesday Book*, pp. 229-44; above, p. 8.

⁶ Stevenson, note to Asser's *Life*, p. 211; Liebermann, *Gesetze*, II, 575, 576.

⁷ MS. Ottoboniano Latino 2948, fol. 2. The papal letter of credence addressed to Henry VII on behalf of Peter was dated 8 November 1508: AA. Arm. I-XVIII, no. 4052. He was still collector in 1512: *Cal. of Charters relating to Selborne*, I, 147.

the Roman church. Ethelwulf granted 300 mancuses yearly from his own patrimony, two-thirds for lights and one-third for the pope, and he also ordered a penny to be paid from each house of his kingdom to the Roman church. After this grant Pope Leo IV and his successors regularly sent nuncios to England charged with the collection of the money.¹

Paul Fabre, who was the first modern scholar to make a serious attempt at a critical study of the traditions, accepted portions of all three. He believed that Ine of Wessex and Offa II of Mercia imposed an annual tax upon the subjects of their respective kingdoms for the support of the Anglo-Saxon school. When the two kingdoms merged, the two contributions became one. Ethelwulf's annual payment of 300 mancuses to the pope and the churches of the apostles Peter and Paul was a charge upon the royal treasury. The alms of the people which Alfred sent to Rome represented the payment first established by Ine and the alms of the king represented the annuity bequeathed by Ethelwulf. Eventually the latter was fused with the contribution levied from the people, though it influenced the tax to the extent that the proceeds were paid in part to the pope and only in part to the Anglo-Saxon school.²

Stevenson rejects all traditions which associate the founding of Peter's pence with the *Schola Saxonum*,³ and he is followed by Liebermann.⁴ The chroniclers who recorded these traditions evidently thought of the *schola* as a school for giving instruction,⁵ whereas it was, in the opinion of these scholars, a part of the military organization of Rome which could not have been founded by Ine or Offa. Though it is no slight risk to differ from two eminent scholars whose knowledge of the period is so profound, the evidence which Stevenson adduces to support his opinion that the *schola* was a unit of the Roman militia seems somewhat inconclusive. In the eighth century the militia of Rome was divided into twelve regional groups called *scholae*.⁶ By 799 there were in the Trastevere four *scholae* of foreigners, made up respectively of Anglo-Saxons, Frisians, Franks and Lombards.⁷ In 846 the Anglo-Saxons, Frisians and Franks were sent to meet the invading Saracens at Porto.⁸ From

¹ MS. Ottoboniano Latino 2948, fols. 3v-6.

² *Étude*, pp. 132-34; 'Recherches sur le Denier de Saint-Pierre,' *Mélanges G. B. de Rossi*, pp. 160-66. Luchaire accepts this view with no significant modification: *Innocent III, les Royautés vassales*, p. 141.

³ Note to Asser's *Life*, pp. 243, 244.

⁴ *Gesetze*, II, 609.

⁵ Above, pp. 7, 8.

⁶ Duchesne, *Beginnings*, p. 60. Possibly the arrangement goes back to the seventh century: Duchesne, 'Les Régions de Rome,' *M.A.H.*, x, 129-34.

⁷ Stevenson, note to Asser's *Life*, p. 243; *Liber Pontificalis*, II, 6.

⁸ *Liber Pontificalis*, II, 100.

these statements it may be concluded that the *Schola Saxonum* sometimes played a military role,¹ but it seems far-fetched to deduce from them² either that the *Schola Saxonum* was a corporate part of the military organization of Rome³ or that the school was an association which existed solely for a military purpose.⁴ The word *schola* was used in Rome at this period to designate a corporation, association, or guild of persons. Some of the *scholae* were military associations, but not all of them were.⁵ The participation of the Anglo-Saxons in the defense of Rome on one occasion hardly seems sufficient warrant for the assumption that their *schola* was primarily of the military type.

Contemporary sources, on the other hand, give no indication that the *Schola Saxonum* was an educational institution.⁶ The most of which we can be certain is that the *schola* was an association of Anglo-Saxons dwelling in Rome. The purposes of the organization are not definitely set forth in contemporary sources. If the Anglo-Saxon school was like other Roman *scholae*, it could possess property and it had a common treasury.⁷ Since an organization of this type would render possible the receipt by the school of gifts in perpetuity, the mistake made by the historians of St Albans with regard to the objects served by the school does not necessarily vitiate their assumption that Peter's pence originated in connection with the school. Later in the Anglo-Saxon period an

¹ This is the opinion of Duchesne: *Liber Pontificalis*, II, 36, n. 27.

² Stevenson makes the additional suggestion that possibly the four *scholae* acted in their military capacity when they met Leo III with the rest of the Roman population in 799: note to Asser's *Life*, p. 243. He bases his suggestion on *Liber Pontificalis*, II, 100. This account states that the militia was present, but gives no indication that the four *scholae* of foreigners formed part of it.

³ It is doubtful if Trastevere was included in the military organization of Rome in this period. In one place Duchesne says that Trastevere formed a section in addition to the twelve in the eighth century 'or later': *Beginnings*, p. 60. For authority he cites his article on 'Les Régions de Rome' in *M.A.H.*, x. There, however, he states not only that Trastevere was in this period a suburb which was not part of the city but also that it was comparatively new in the fourteenth century as a thirteenth region in the military organization: p. 136. Gregorovius found mention of 'Regione quarta-decima Transtiberini' in a document of 1037: *Rome*, IV, pt. 2, 456, n. 2.

⁴ Stevenson relies for his contrary conclusions not only on the contemporary evidence mentioned above, but also on the statements of Duchesne and Gregorovius. The former, in the passage cited by Stevenson, includes the four *scholae* of foreigners in the military organization of the city: *Les premier Temps*, p. 43. He gives for authority, however, his own note to the *Liber Pontificalis*, where he says: 'These four colonies of foreigners organized in corporations occupy an important place in the Roman institutions of the early middle ages. They sometimes played a military role, as for example at the invasion of the Saracens in 846': II, 36, n. 27. Gregorovius treats successively the military *scholae*, other *scholae* in general, and the *scholae* of foreigners. So far is he from ascribing a military character to the last, that he accepts the statement of Matthew of Westminster that the *schola* of the Anglo-Saxons was 'an institution for the instruction of English princes and clergy in the Catholic faith': *Rome*, II, 422-26.

⁵ Gregorovius, *Rome*, II, 423, 424; *Liber Pontificalis*, II, index under 'Schola cantorum.'

⁶ The history of the school is summarized excellently by Stevenson, note to Asser's *Life*, pp. 243-47.

⁷ Gregorovius, *Rome*, II, 422-24.

association between the two certainly existed. Between 1067 and 1073 Alexander II wrote to William the Conqueror: 'For, as you well know, while the English were faithful . . . they paid an annual pension to the apostolic see, from which a part was allotted to the Roman pontiff, a part to the church of St Mary,¹ which is called the school of the English, for the use of the brothers.'² Though this statement was made too late to prove that Peter's pence from its beginning was assigned in part to the school, it gives some degree of plausibility to the view that the establishment of Peter's pence was related to the Anglo-Saxon school.

Even if Stevenson's reasons for the rejection of these traditions appear to be inadequate, it does not follow that the traditions are true. Historians of the school of St Albans, who were given to the exercise of their imaginations and to strivings for rhetorical effect, were the first to bring them to our attention. If their stories were not made out of whole cloth, they may have had no more foundation than the letter of Alexander II to William I.³ Traditions from such sources are unworthy of credence unless they have some support in contemporary evidence. Without such support, indeed, it is difficult to accept any of the traditions with regard to Peter's pence. None of them appears in written form before the twelfth century. The three centuries and more which elapsed after the establishment of the due before the commitment of the traditions to writing provided ample time for legends to grow and for traditions which may have begun with a factual element to become distorted out of any recognizable shape. How quickly such developments might take place may be illustrated from the later history of Peter's pence. On 22 April 1273, at Orvieto, Gregory X addressed to the English clergy the bull *Qualiter denarii Sancti Petri*, in which he specified the annual amount due for Peter's pence from each diocese.⁴ Less than half a century later the bull was entered in the register of Archbishop Reynolds with the notation that it was believed to have been issued by Gregory V.⁵ Copies appear in several other manuscripts of the fourteenth and fifteenth centuries where they are ascribed without qualification to Gregory V.⁶ Thus within a brief interval an error which projected back to 997 an

¹ Leo IV (847-55) built this church on the site of the Anglo-Saxon school, which was burned during his pontificate: *Liber Pontificalis*, II, iii, 128; Stevenson, note to Asser's *Life*, pp. 245, 246. Possibly Leo rebuilt a church which had been destroyed by fire.

² Lunt, *Papal Revenues*, II, 58.

³ Liebermann, *Gesetze*, II, 609.

⁴ *Somers Tracts*, I, 21; Cambridge University Library, MS. M m I, 41, p. 375; *Reg. of G. Giffard*, II, 57; *Reg. of Drokenesford*, pp. 23, 24; Lunt, *Papal Revenues*, II, 65.

⁵ Lambeth Palace Library, Reg. of Reynolds, fols. 78^v, 239.

⁶ Black Book of the Archdeacon of Canterbury, fols. 20, 20^v; Chichester Diocesan Registry, *Liber E*, fol. 261; MS. Ottoboniano Latino 2948, fols. 5^v, 6.

apportionment of Peter's pence which existed in 1273 gained the force of a tradition and received widespread credence. In view of the ease with which a false tradition could arise, the traditions which ascribe the origin of Peter's pence to Ine, Offa or Ethelwulf without any known basis in contemporary evidence should be discarded.

We are left with the gift of an annual sum of 365 mancuses made by Offa II to St Peter in 787 and the bequest of 300 mancuses left by Ethelwulf in 858 as possible origins of Peter's pence. Liebermann regards the former as the foundation of Peter's pence and the gift of Ethelwulf described by William of Malmesbury as a confirmation of the grant.¹ Jensen, who rejects all the traditions which he mentions, except that with regard to Offa in its simpler form, holds that Offa's gift was the beginning of Peter's pence, but that Ethelwulf's grant was not a confirmation nor a revival of it. Offa's payment, he thinks, had ceased, and Ethelwulf's donation was applied to objects other than Offa's. Ethelwulf's gift which Jensen has in mind is obviously his bequest of 300 mancuses, though he calls it 300 marks, and describes it as made during the king's lifetime. He suggests that Ethelwulf paid the sum from his own purse or the national treasury, and only in Alfred's reign did it begin to be collected from the people.² While it is possible that either of these gifts may have marked the origin of Peter's pence, the probability that either did seems remote in the absence of any contemporary evidence that the necessary sums were obtained by a levy upon the people.

One further possibility in the contemporary evidence has to be explored. It is recorded in some texts of the Anglo-Saxon Chronicle under 883 that envoys took to Rome and to St Thomas in India and to St Bartholomew the alms which Alfred vowed to send thither when he besieged the Danes in London.³ If these alms were carried to Rome, they may have become associated with the Anglo-Saxon school. When the chronicler noted the death of Pope Marinus in the annal for 885, he added that this pope freed the school at the request of Alfred.⁴ The freedom granted, as Asser explained, was from all tribute and toll.⁵ This liberty of the school was probably obtained by the royal envoys who are said to have borne the alms.⁶ If the alms were given in order to secure the papal privilege, the incident might possibly have marked the beginning of Peter's pence, which the Anglo-Saxon Chronicle apparently designated

¹ *Über die Leges Edwardi Confessoris*, p. 55.

² 'Denarius Sancti Petri,' *T.R.H.S.*, new ser., xv, 178-83.

³ *1*, 152, 153.

⁴ *Anglo-Saxon Chronicle*, *1*, 154-57.

⁵ *Life*, p. 53.

⁶ Stevenson, note to Asser's *Life*, p. 289.

as alms in later years of Alfred's reign.¹ This explanation of Peter's pence has to meet the probability that the passage in the annal of 883 was interpolated. It does not occur in the earliest extant manuscript, and apparently it did not appear in the still older manuscript used by Asser. It also presents difficulties of interpretation.² Moreover, evidence that any alms were contributed by the people in that year is lacking. In view of the nature of the evidence, the origin of Peter's pence in a gift made by Alfred in 883 may be dismissed as extremely improbable.

Thus it seems impossible with the sources of information at our disposal to arrive at any definite conclusion with regard to the origin of Peter's pence. The due was probably established through the initiative of some Anglo-Saxon king. By the closing years of the ninth century it was in all probability a going concern. Early in the tenth century its payment was being enforced by royal authority. Such are the meagre results of our efforts to penetrate the obscurity which surrounds the early history of the institution.

Whoever may have established Peter's pence, Anglo-Saxon kings who ruled after Alfred were responsible for its territorial expansion, and in all probability it was in their time that the limits of its territorial growth were reached. None of the kings who has been suggested as the founder of the impost exercised sufficient authority north of the Humber to enforce its exaction in that region.³ If it was levied north of Watling Street and south of the Humber before Alfred's reign, it probably did not survive the Danish conquest in that district. In the time of Edward the Elder the extension of Peter's pence to the Danelaw had begun,⁴ and the Northumbrian Priests' Law demonstrates that Peter's pence was being exacted regularly in the diocese of York by the middle of the eleventh century.⁵

Cornwall is another section in which Peter's pence was not likely to have been paid before the tenth century.⁶ When Ine was king of Wessex the boundary between Wessex and the West Welsh extended from the neighborhood of Taunton to the Exe,⁷ leaving in possession of the Britons the territory which now constitutes the county of Cornwall and the larger part of the county of Devon. No significant change in this

¹ Above, p. 4.

² Stevenson, note to Asser's *Life*, pp. 286-90.

³ Below, pp. 19-22.

⁴ Liebermann, *Gesetze*, I, 130.

⁵ *Ibid.*, I, 384. Liebermann regards the document as a private compilation made at the cathedral of York: *Gesetze*, III, 220, 221.

⁶ Cornwall later contributed its quota to the Peter's pence paid in the diocese of Exeter: *Reg. of Grandisson*, I, 343.

⁷ Oman, *England before the Norman Conquest*, pp. 286, 328; Haddan and Stubbs, *Councils*, I, 673.

situation appears to have taken place until King Egbert of Wessex, between 813 and 835, conquered Devonshire and pushed the western frontier of Wessex to the Tamar.¹ Thereafter the Celts of Cornwall appear to have retained their political independence until their king did homage to Ethelstan in 926,² though relations with the Cornish must have been friendly in the time of Alfred, who 'possessed estates in Cornwall, and used to hunt there.'³ Sometime in the ninth century after 833 a bishop of the Cornish people made his profession to the archbishop of Canterbury,⁴ but it may be doubted if the ecclesiastical connection was a close one before the end of the tenth century.⁵

In some regions Peter's pence seems never to have been paid. The earliest complete list of the dioceses from which the papacy received Peter's pence is found in the *Liber Censuum*,⁶ which was compiled by the papal camerarius, Cencio, in 1192.⁷ The list states the amount which was due annually from each diocese. Throughout the remainder of the middle ages the dioceses did not change, and the only alteration in the amounts was an increase from £7 18s. to £8 of the sum due from the diocese of Canterbury.⁸ Cencio's compilation rested largely upon earlier works of a kindred type,⁹ but it seems to be impossible to determine how long before Cencio's time the original list was established. It was as old as 1165, since the total amount¹⁰ and the sums due from three dioceses were then the same.¹¹ Liebermann suggests that the list was drawn up between 1109, when the diocese of Ely was created, and 1133, when the diocese of Carlisle was formed.¹² The former was included while the latter was omitted. The first date manifestly supplies a terminus after which the list must have assumed the form found in 1192, but the second date is not a reliable terminus before which the list must have taken that

¹ Oman, *England before the Norman Conquest*, pp. 336, 390, 392; Haddan and Stubbs, *Councils*, I, 673.

² Plummer, *Life*, p. 19; Haddan and Stubbs, *Councils*, I, 673, 675.

³ Oman, *England before the Norman Conquest*, pp. 446, 518, n. 1; Stevenson, note to Asser's *Life*, p. 296.

⁴ Haddan and Stubbs, *Councils*, I, 674.

⁵ *Ibid.*, I, 673, 676; Hill, *English Dioceses*, p. 218, n. 4; Stevenson, note to Asser's *Life*, pp. 321-24; Napier and Stevenson, *Crawford Charters*, p. 106; Taylor, *Celtic Christianity of Cornwall*, pp. 64-69.

⁶ *Liber Censuum*, I, 226.

⁷ *Ibid.*, I, 1-5.

⁸ Lunt, *Papal Revenues*, II, 65, 68-70; MS. Ottoboniano Latino 2948, fols. 39^v-41.

⁹ Fabre, *Étude*, pp. 1-25.

¹⁰ That is, in letters of Gilbert Foliot, bishop of London, it was said to be 300 marks: *Epistolae*, I, 235; II, 3. In the *Liber Censuum* it is put at 300 marks less one mark.

¹¹ Foliot, *Epistolae*, I, 235; II, 3; *Materials for the History of Becket*, v, 211. In later years of the reign of Henry II still other dioceses were paying sums identical with those in Cencio's list: Pipe Roll Soc., *Publications*, xxxiv, 125, 142; xxxvi, 101.

¹² *Gesetze*, II, 610.

shape. If Peter's pence was not paid by the inhabitants of the district which became the diocese of Carlisle, there would have been no reason for adding this diocese to the list. For other reasons it seems probable that a fixed repartitionment among the dioceses had been established by 1115,¹ though perhaps the most which can be said with certainty is that the list was given its final form between 1109 and 1165.

In this list the four Welsh dioceses and the dioceses of Carlisle and Durham were omitted. From them the pope received no Peter's pence, and in all probability their inhabitants paid none. The probable reason for this situation was that these districts were not under the control of the Anglo-Saxon kings at the time when Peter's pence was still undergoing the process of territorial expansion.

In Wales Peter's pence was probably never levied. In 1316 John XXII ordered the archbishop of Canterbury to inquire what members of the clergy in his province collected Peter's pence and how much each received and rendered.² The archbishop informed the pope of the results of his inquiry in the next year. With regard to the four Welsh dioceses he said that nothing was collected there, and, so far as was known, nothing ever had been collected there by any one.³ Gerald of Wales implied that the same situation obtained late in the twelfth century by his account of an offer to pay the due from the Welsh dioceses, provided the pope would make the church of Wales immediately subject to the apostolic see.⁴ Though this evidence is of too late a date to be conclusive for the earlier period, the assumption that the impost had once been levied in Wales and had disappeared so completely as to leave no trace in 1317 is most improbable. If the king and the pope were unable to enforce the levy, or had neglected to do so, the local clergy, who profited from the levy,⁵ would not have been likely to let it fall into desuetude. There is, moreover, no mention of Welsh Peter's pence in those classes of sources which supply information about the due in England. Documents emanating from Welsh bishops and monasteries as well as chronicles and cartularies of English religious houses having property in Wales, so far as I have examined them, contain no reference to the payment of Peter's pence in Wales.⁶ This argument from silence is weakened by the paucity

¹ Below, p. 39.

² *Reg. of Orleton*, p. 49.

³ Lunt, *Papal Revenues*, II, 67, 68.

⁴ Giraldus Cambrensis, *Opera*, III, 55, 78, 175.

⁵ Below, pp. 78, 79.

⁶ The silence is of particular significance in the Book of Llan Dav. It gives a list of the synodals and procurations due from the parishes of the diocese, but says nothing of Peter's pence: *Text of the Book of Llan Dav*, ed. Evans, pp. 318-26. In similar lists for English dioceses synodals and Peter's pence are usually given together.

of such sources compared with the abundance of similar English sources, but its confirmation of the archbishop's negative conclusion does not lack force. Before 1066, though several Welsh kings made submission to one Anglo-Saxon king or another,¹ no Anglo-Saxon king appears to have possessed sufficient political control of Wales to have compelled the Welsh to pay Peter's pence.² Nor was the metropolitical authority of the archbishop of Canterbury generally acknowledged in the Welsh dioceses.³ After the Norman conquest, when the Norman barons began to carry English custom into the Welsh marches and the Welsh bishops began commonly to make their professions to the archbishop of Canterbury, Peter's pence had probably ceased to expand territorially.

It is also reasonably certain that the inhabitants of the diocese of Carlisle were not liable for Peter's pence. In those sees where the bishops received Peter's pence, the royal keepers of the sees during their vacancies collected the amounts owed to the bishops, paid to the archbishop of Canterbury or to a papal agent the sums due the papacy, and rendered the balances to the royal treasury.⁴ In the accounts for the vacancies of Carlisle entered in the Pipe Rolls of the thirteenth century, no item of receipt from Peter's pence appears, though one account covered a period of nearly two years⁵ during which Peter's pence must have fallen due, if it was owed to the bishop. The situation in the diocese of Carlisle was without much doubt the same as that in the deanery of Coupland, where an archidiaconal register, compiled late in the thirteenth century or early in the fourteenth,⁶ recorded that Peter's pennies were not given.⁷ Though the deanery was in the diocese of York, it was adjacent to the diocese of Carlisle on the west, and it was part of the county of Cumberland, of which the remainder was in the diocese of Carlisle. The political fortunes of the diocese and the deanery were the same. In the seventh

¹ Oman, *England before the Norman Conquest*, pp. 426, 465, 544, 628; Ramsay, *Foundations*, I, 222, 224, 488; Plummer, *Life*, pp. 42, 43; *Anglo-Saxon Chronicle*, II, 54, 57, 96, 161, 162; Asser, *Life*, pp. 7, 66, 67; *Ann. Cambriae*, p. 12.

² Plummer, *Life*, p. 85; Lloyd, *History of Wales*, I, 333-52; II, 357-73.

³ Lloyd, *History of Wales*, II, 447.

⁴ E.g., Pipe Roll Soc., *Publications*, v, 61, XI, 58, 76, 77; XII, 77; XIII, 45; xv, 152; xxxi, 62; xxxii, 59; xxxiv, 125, 126, 142; Pipe Roll, 14 John, m. 1; 16 John, m. 6v; 27 Henry III, mms. 3, 3v; 31 Henry III, m. 14; 40 Henry III, m. 19; 44 Henry III, m. 2; 46 Henry III, m. 21; 48 Henry III, m. 15v; 1 Edward I, m. 7v.

⁵ Pipe Roll, 12 Edward I, m. 34v.

⁶ The register was written when the valuation of 1291 was the last valuation. A *nova tazatio* was made in 1327: my article on 'The Collectors of Clerical Subsidies,' which will appear in volume II of *The English Government at Work*, edited by Willard and Morris. The register may thus be assigned to the period between 1291 and 1327.

⁷ *Reg. Honoris de Richmond*, p. 63.

century they were part of the kingdom of Northumbria.¹ How long that connection lasted is doubtful, but if it still endured in the second half of the ninth century, it was probably broken then by the Danish invasions. In 945 the region was conquered by King Edmund, who ceded it to Malcolm, king of the Scots. It was not again brought effectively under English rule until 1092.² Since neither kings of Mercia nor of Wessex controlled Northumbria when Cumberland was part of that kingdom,³ and Edmund delivered the district to Malcolm as soon as he had conquered it, there was no opportunity for Peter's pence to become established in Carlisle and Coupland through the agency of an English king until 1092. The failure of Peter's pence to spread to Coupland, though the deanery was part of the diocese of York where the due was paid in other deaneries, and its apparent failure to become established in the diocese of Carlisle, render probable the assumption that after the Norman conquest neither king, pope nor English clergy expanded the area in which Peter's pence was levied.

The omission of the diocese of Durham from the papal list presents a more complicated problem. Though the papacy received no Peter's pence directly from the diocese of Durham, a table of the amounts due the papacy each year from the English dioceses entered in the Red Book of the Exchequer ends with the statement: 'Durham belongs to the archbishopric of York.' The table was derived from a copy preserved at Rochester in a book containing the epistles of Paul.⁴ It was written in the Red Book in a hand of the thirteenth century,⁵ and it was compiled after 1109 when Ely became a diocese. Aside from the statement about Durham, the dioceses are the same as those in the Liber Censuum and the bull of 1273, and the sums display only slight scribal differences. The significance of the cryptic statement about Durham is far from obvious. Lapsley interprets it to mean that Peter's pence was paid from the diocese of Durham to the archbishop of York, and not directly to the

¹ Bede, *Ecclesiastical History*, Bk. II, ch. 9; III, ch. 4; IV, ch. 26; V, ch. 23; Hill, *English Dioceses*, pp. 97-103; Ramsay, *Foundations*, I, 133, 134, 198; Hunt, *The English Church to 1066*, p. 156; Oman, *England before the Norman Conquest*, pp. 250, 251, 295, 308, 309.

² *Vict. Hist. Co. Cumberland*, II, 1-7, 222-28; Haddan and Stubbs, *Councils*, II, pt. 1, 3-10; Oman, *England before the Norman Conquest*, pp. 333, 334, 349, 527, 528; Symeon of Durham, *Opera*, I, 53; Davis, 'Cumberland,' *E.H.R.*, xx, 63-65.

³ Ramsay, *Foundations*, I, 208. Egbert of Wessex secured acknowledgment of obedience from the king of Northumbria in 827: *Anglo-Saxon Chronicle*, II, 53; Oman, *England before the Norman Conquest*, p. 399. Cumberland may then still have been a part of Northumbria, but the render of obedience seems to have given to the kings of Wessex no real power to intervene in the internal affairs of Northumbria: Plummer, *Life*, pp. 38, 85.

⁴ *Red Book of the Exchequer*, II, 750. It is the codex now known as *Custumale Roffense*: *Muniments of Dean and Chapter of Rochester*, A. 3. 7, p. 49.

⁵ *Red Book*, I, p. cxvi.

papacy.¹ The key to the true meaning of the passage is supplied by the chronicle which commonly passes under the name of Benedict of Peterborough.² The writer related that in 1191 Hugh, bishop of Durham, was excommunicated by the archbishop of York because he would not make his canonical profession to his metropolitan, and because he kept in his hands, 'the rights of the church of York, namely the Romepenny and the processions of the week of Pentecost from the churches of Howden, Hemingbrough, Skipwith, Brantingham, Kirkby Sigston, Osmotherley,³ Northallerton and Walkington.'⁴ Liebermann concludes from this statement that Durham was taxed for Peter's pence under York,⁵ but his deduction is unwarranted. All of the named places from which Peter's pence was withheld by the bishop of Durham were in the spiritualities of Howdenshire and Allertonshire. These peculiars were under the jurisdiction of the prior and convent of Durham, but they were located geographically within the diocese of York. The bishop or the prior and convent were patrons of all the enumerated churches.⁶ Manifestly the bishop of Durham collected Peter's pence in these peculiars and delivered it to the archbishop, because the peculiars were exempt from the jurisdiction of the archdeacons,⁷ who performed this service elsewhere in the diocese of York. There can be little doubt that the Red Book refers to the same arrangement, since any evidence that Peter's pence was collected in the diocese of Durham is lacking. Smoke pennies, by which Peter's pennies were sometimes designated,⁸ were paid in some parishes of the diocese, but they were not Peter's pence in this locality, because they were used for the fabric of the cathedral of Durham.⁹ The accounts of the royal keepers of the bishopric during its vacancies from 1130 to 1307¹⁰ display no receipts from Peter's pence, and an account of the income of Bishop Anthony Bek in 1308 lists no revenue from this source.¹¹ In Durham, as in the other five dioceses from which the papacy received no Peter's pence, the inhabitants apparently were not subject to the tax.

The exemption of Durham, however, must have had a cause somewhat different from that which applied to the other dioceses. Fabre's expla-

¹ *County Palatine of Durham*, p. 274.

² *Gesta*, II, 225, 226.

³ *Homdeleie*.

⁴ *Waldintona*. Possibly it should be extended 'Welton.'

⁵ *Gesetze*, II, 610.

⁶ *Tazatio*, pp. 302, 324; *Reg. of Wickwane*, pp. 162, 228-33; *Reg. of le Romeyn*, II, 34, 35, 41, 97; *Historiae Dunelmensis Scriptores Tres*, app. p. xxii.

⁷ *Reg. of le Romeyn*, I, p. vii.

⁸ Neilson, *Customary Rents*, pp. 200, 201.

⁹ *Historiae Dunelmensis Scriptores Tres*, app. p. lii.

¹⁰ Several of the accounts are for a period of a year or longer.

¹¹ *Boldon Buke*, pp. xxv-xxxix. The original of the account of Bek's income is P.R.O., Rentals and Surveys, General Series, Roll. 1012.

nation that the situation arose because Durham was a Danish district in the ninth century¹ is unconvincing. Peter's pence was later levied in many districts which were controlled by the Danes in the ninth century. At that time it probably had not been introduced into the kingdom of Northumbria. Even before the Danish conquest of the kingdom in 865 the kings of southern England lacked sufficient power to impose taxation there.² If Peter's pence was extended by lay authority, it could hardly have made its appearance in the diocese of York before the conquest of that region from the Danes by the English kings of the first half of the tenth century.³ For the remainder of the Anglo-Saxon period the chief difference in the political status of the southern part of the old kingdom of Northumbria, which was in the diocese of York, and the northern part, which was in the diocese of Durham, was that the bishop of Durham possessed an extensive immunity, where he enjoyed regalian rights and the king had no revenues.⁴ This difference in the political status of the southern and northern parts of the old kingdom would seem to explain why Peter's pence was extended to the diocese of York and not to the diocese of Durham.⁵

The Anglo-Saxon kings of the tenth and eleventh centuries enforced the payment of Peter's pence by the imposition of heavy penalties upon those who failed to pay the penny on time. The date stated in the laws of Edgar and in later laws was the festival of St Peter on 1 August.⁶ A law of unknown origin, written about 1050, stipulated payment before noon of the festival.⁷ The laws of Edward the Confessor, which were compiled in the twelfth century, explained that a demand for the payment of the pennies ought to be made on 29 June, and also that a man who possessed more than one residence should render the penny from the house where he was living on that date.⁸ The amount of the pen-

¹ 'Nachricht,' *Zeitschrift für social- und Wirtschaftsgeschichte*, I, 150, n. 2.

² Above, p. 20; Lapsley, *County Palatine*, pp. 16-19; Page, 'Northumbrian Palatinates,' *Archaeologia*, LI, pt. 1, 143, 144.

³ On the conquest see Oman, *England before the Norman Conquest*, pp. 517-33.

⁴ Lapsley, *County Palatine*, pp. 21-27. Cf. Page, 'Northumbrian Palatinates,' *Archaeologia*, LI, 146-51.

⁵ Liebermann apparently entertained a similar view before he came to the conclusion that Peter's pence was paid in Durham: 'Peter's Pence,' *E.H.R.*, XI, 746, n. 22.

⁶ Liebermann, *Gesetze*, I, 198, 199, 240, 252, 265, 292, 293, 384, 474; Thorpe, *Ancient Laws*, II, 257. A Latin paraphrase of VI Ethelred, ch. 2, sets the date on the festival of Sts Peter and Paul, 29 June: Liebermann, *Gesetze*, I, 253. The Rectitudines stated that the cotter ought to give his hearthpenny on Maundy Thursday. Schmid and Liebermann agree, though for different reasons, that hearthpenny does not here refer to Peter's pence: Schmid, *Gesetze*, pp. 372, 373; Liebermann, *Gesetze*, II, 506.

⁷ Liebermann, *Gesetze*, I, 474.

⁸ Liebermann, *Gesetze*, I, 634; *idem*, *Ueber die Leges Edwardi Confessoris*, pp. 56, 57; *idem*, 'Peter's Pence,' *E.H.R.*, XI, 745.

alty was not specified in the law issued between 921 and 938. If the transgressor lived in a Danish district he was to pay the *lahslit*,¹ if he lived in an English district the *wite*,² a fine which went to the state as distinguished from the *bot* which went to an individual in compensation for an injury. Since the *wite* was not the same sum in every case, but varied with the offense,³ the law assumed either that the amount of the *wite* for delay was known or that it would be assessed at the discretion of the court. Since the latter practice was contrary to Anglo-Saxon custom — if not unknown to it⁴ — the former alternative is the more probable. Since the *wite* included generically the *oferhyrnes*,⁵ and this fine of 120 shillings paid to the king was the penalty usually decreed by later laws, it may already have been customary in Edward's reign. A copy of the laws issued by Edmund between 942 and 946 which contains an unusual penalty probably lacks authenticity. It required each Christian on his Christianity to pay tithes, churchscot, plough alms and Romemoney under penalty of excommunication.⁶ This copy, which was written near the end of the eleventh century, differs from two other copies made early in the twelfth century and from the *Quadripartitus*, a Latin version of about the same period.⁷ The law as set forth in all three of these copies applies only to tithes, churchscot and alms money. Robertson suggests that alms money included both Peter's pence and plough alms,⁸ but Liebermann regards it as only another name for plough alms.⁹ He consequently concludes that Romemoney was not mentioned in the original law, but was interpolated in one of the later copies of it.¹⁰ His reasoning has the balance of probability inclined further in its favor by the fact that this law is the only one of the several laws enacted on the subject by Anglo-Saxon kings which established an ecclesiastical rather than a secular penalty for the breach of its observance.¹¹

The later royal laws on the subject defined the penalties much more carefully. Edgar required the delinquent payer to carry the penny to Rome along with a fine of thirty pence, to bring back an acquittance,

¹ It was a fine of twelve ores: Liebermann, *Gesetze*, II, 611.

² Liebermann, *Gesetze*, I, 131.

³ *Ibid.*, I, 72, 73, 92, 150, 151, 156, 157.

⁴ Pollock and Maitland, *English Law*, II, 449-59, 513-15.

⁵ Liebermann, *Gesetze*, I, 150, 151.

⁶ Liebermann, *Gesetze*, I, 184.

⁷ *Ibid.*, III, 308, 309.

⁸ *Laws of the Kings*, p. 295.

⁹ *Gesetze*, II, 276, 616.

¹⁰ *Ibid.*, II, 609; III, 124.

¹¹ The laws of William, privately compiled between 1090 and 1135, specified both ecclesiastical censures and pecuniary fines: *ibid.*, I, 505.

and to pay 120 shillings to the king. For a second offense he had to repeat the performance, paying 200 shillings to the king, and for a third he forfeited all his property.¹ Ethelred, in 1014, eliminated the journey to Rome, which was of itself a requirement filled with hardship and danger,² but kept the same pecuniary penalties for the first offense.³ To whom the penny and the thirty pence were to be paid his law did not state, but when Canute repeated the law, he named the bishop as the recipient.⁴

Whether such harsh penalties were exacted in practice we do not know, but threats of their application were made. A canon enacted in the time of Edgar enjoined the clergy to remind the people of their duty to pay Peter's pence and other ecclesiastical dues on the dates when they fell due.⁵ In the homilies attributed to Wulfstan, who was archbishop of York from 1003 to 1023, reminders were common. In one sermon the man who withheld Peter's penny was designated as 'the companion of Judas, the betrayer of Christ.' In another warning was given that the detainer of the penny must go to Rome, carry the penny to St Peter's altar, and obtain therefor an acquittance which he could display to his diocesan. In a third the delinquent was told that he must give to Rome thirty additional pennies and to the king 120 shillings.⁶ Whether Edgar's law was enforced or not, it was certainly brought to the attention of the people in vigorous language. A few years later Canute announced that he would have royal officials apply the laws to those who should delay payment of Peter's pence or other dues owed to the church.⁷

In the law about Peter's pence, as in other Anglo-Saxon laws, there were variations from one district to another. In the earliest known law the fines imposed in the Danelaw and in the English district differed in nature. In the middle of the eleventh century the law which was current in the diocese of York diverged in several particulars from the royal law on the subject. In the Northumbrian Priests' Law the penalties varied with the social rank of the offender.⁸ If a king's thegn or a landlord⁹ withheld the penny after 1 August, he was liable in five half-marks to the

¹ Liebermann, *Gesetze*, I, 198, 199.

² Lingard, *History of the Anglo-Saxon Church*, II, 125-30; Willibald, 'Vita S. Bonafacii' in Migne, *Patrologia*, LXXXIX, 612-14.

³ Liebermann, *Gesetze*, I, 265.

⁴ *Ibid.*, I, 292.

⁵ Thorpe, *Ancient Laws*, II, 257.

⁶ Napier, *Wulfstan*, pp. 116, 118, 272, 311.

⁷ Below, p. 26.

⁸ Liebermann, *Gesetze*, I, 384.

⁹ *Landrica*: so translated by Schmid; Robertson, in other contexts, translates 'lord of the manor'; Liebermann prefers 'lord of an immunity.'

king and in the same amount to the bishop. If a villager¹ was guilty of the same neglect, the landlord was expected to pay the penny and take an ox from the culprit. If the lord failed to carry out the law, the king and the archbishop could take a full *bot* of twenty ores.² The reason for the existence of this divergence is unknown. It may have been a survival of an original difference between the law of Wessex and that of the Danelaw, but the apparent currency of Edgar's law on Peter's pence in the time of Wulfstan renders this hypothesis improbable. The equal sharing of the fines between archbishop and king as contrasted with the small portion conceded to the archbishop by the royal law gives rise to the supposition that the difference may have been established after Wulfstan's time as part of the immunity enjoyed by the archbishop.³ An approximately contemporary law of unknown provenance, which probably represented local custom and not royal legislation,⁴ stated that one who had not paid the penny by noon of the festival of St Peter should pay 60 shillings and give the penny twelvefold.⁵

The responsibility for the collection of Peter's pence from the debtors rested with the bishop of each diocese.⁶ He must have employed local assistants, but only in the diocese of York do we know who they were. In the Northumbrian Priests' Law it was decreed that in each wapentake two trustworthy thegns and a priest should be named and placed under oath to collect the money from the payers and deliver it to the archbishop.⁷ Neither the authority giving the command nor the authority which was to select the local collectors was named in the law, but presumably the first was the archbishop and the second the people of the wapentake acting in the court of the wapentake.⁸ The landlord also had to assist in the collection of the due from recalcitrant payers within his jurisdiction.⁹ In some localities the lord received the Peter's pence owed by his tenants. In a document written about the time of the Norman conquest¹⁰ the rights of the lord of Taunton in several outlying districts were set forth as they existed on the day when King Edward

¹ *Tunesman*.

² Each ore contained 20d.; Liebermann, *Gesetze*, II, 167.

³ On the immunity see Maitland, *Domesday Book*, p. 87; Liebermann, *Gesetze*, III, 221, 222.

⁴ Liebermann, *Gesetze*, III, 267; *idem*, 'Peter's Pence,' *E.H.R.*, XI, 745.

⁵ Liebermann, *Gesetze*, I, 474.

⁶ Above, p. 4; Napier, *Wulfstan*, pp. 116, 118.

⁷ Liebermann, *Gesetze*, I, 384.

⁸ *Ibid.*, III, 221, 222, 225.

⁹ It was from this passage that Maitland deduced a tendency on the part of the state to hold the lord responsible for the payment of taxes owed by his dependents: *Domesday Book*, pp. 59, 125, 288.

¹⁰ Kemble, *Codex*, IV, 233.

was both living and dead.¹ Along with churchscot, tithes, hundred pennies, fyrdwites and kindred rights, hearthpennies had to be rendered at Taunton from Norton, Oak, Cheddon, Ford, Bishop's Hull, Bradford, Lydeard and several other places. These hearthpennies were Peter's pence, since they appeared under the latter name in Domesday in a list of customs belonging to the bishop of Winchester, who was then the lord of Taunton.² What the lord did with the pennies is not made apparent by either document. Since they were enumerated among the revenues and pleas which constituted part of the lord's income, he doubtless received some profit from them. Yet it may be doubted if he kept them all. If he paid a fixed sum to the bishop or to the local collector and retained the remainder, it would be an early example of a practice which was common enough in later times.³ If a bishop failed to exact Peter's pence, the king might empower royal officials to assemble it.⁴

After the bishops had collected the money in their respective dioceses, they appear to have rendered it in Alfred's time to the king or his agent.⁵ By the eleventh century this practice appears to have been altered. In the homilies ascribed to Archbishop Wulfstan it appears that the archbishop of York received the Peter's pence of his diocese and delivered it at Christ's church (*on Cristes cyrcean*).⁶ Liebermann assumes that the writer referred to Christchurch, Canterbury, and consequently concludes that the bishops paid their receipts to the archbishops of Canterbury.⁷ His interpretation is both plausible and probable,⁸ but the possibility of another meaning should be noted. *Cristes cyrcean* might refer to the catholic church as an institution.⁹ If the phrase was so used in this passage, it would appear to mean that the bishops paid what they collected to the Roman church, which would be equivalent to saying that they paid it to the pope.¹⁰ If the archbishop of Canterbury received the money, he probably paid it to the king or sent it to Rome on the king's order. The king appears to have been the authority who controlled the transmission of Peter's pence to the pope.¹¹

¹ One of the witnesses was Gisa, who was bishop of Wells from 1061 to 1088.

² I, fol. 87b. See also *Vict. Hist. Co. Somerset*, I, 401, 442.

³ Below, p. 79.

⁴ Such, at least, appears to be the meaning of the following passage in Canute's letter: 'Hec et his similia si, dum venero, non erunt persoluta, regia exactio secundum leges, in quem culpa cadit, districte absque venia comparabit': Liebermann, *Gesetze*, I, 277. Compare the translations of Robertson, *Laws of the Kings*, p. 153; Kendall, *Source Book*, p. 38.

⁵ Above, pp. 4, 6.

⁶ Napier, *Wulfstan*, p. 118.

⁷ *Gesetze*, II, 41, sub 'Crist,' no. 3, 610.

⁸ The archbishop of York collected Peter's pence only in his capacity as bishop. The bishop of Durham was at this time his only suffragan: Hill, *English Dioceses*, pp. 200-202.

⁹ Liebermann, *Gesetze*, II, 41, sub 'Crist,' no. 2b.

¹⁰ The use of the preposition 'on' in the phrase militates against this interpretation.

¹¹ Above, pp. 4, 6.

The incidence of Peter's pence in the Anglo-Saxon period is far from obvious. The designation of the tax as hearthpenny indicates that it fell upon a large element in the population,¹ but it would be rash to assume from the name alone that a penny was paid from every household.² At a later time, when the tax was said to be a penny from each inhabited house by many English chroniclers,³ by Albinus, the compiler of an earlier register similar to the *Liber Censuum*,⁴ by the pope,⁵ and even by the archbishop of Canterbury in an official report made to John XXII,⁶ the penny was not actually paid by all families in all localities.⁷ In the eleventh century the penny was collected in both borough and village,⁸ and nobles paid it as well as villagers.⁹ The *Rectitudines* stated that the cotter and the gebur paid the hearthpenny¹⁰ and implied that the payment was the mark of a freeman,¹¹ but unfortunately the hearthpenny of this document fell due on the wrong date to be the Peter's penny.¹² In the laws of William, which are ascribed to the period between 1090 and 1135, the freeman in the Danelaw was said to owe Peter's pence if he had field-cattle of the value of half a mark (80 d.), and the freeman in the rest of England if he possessed livestock¹³ valued at thirty pence.¹⁴ The burgess was liable if he owned chattels worth half a mark. Throughout England those who lived on the lord's demesne, such as cotters, herds-

¹ Edmund's law which enjoins every Christian to pay Peter's pence is probably an interpolation: above, p. 23. Jensen's interpretation of the law of Edward and Guthrum to mean that it was the duty of every Christian from the time of Alfred to pay Peter's pence not only accepts the preamble as authentic but also reads into the law what is not there: 'Denarius Sancti Petri,' *T.R.H.S.*, new ser., xv, 182.

² This assumption has been commonly made. E.g., Jensen, *ibid.*, xv, 187.

³ Above, pp. 6, 7, 9.

⁴ *Liber Censuum*, II, 121.

⁵ Rymer, *Foedera*, I, 118.

⁶ Lunt, *Papal Revenues*, II, 67.

⁷ Below, pp. 79-82.

⁸ 'Sive ex urbibus sive ex villis.' Stephenson has taught us that 'borough' is a safer translation of 'urbs' than 'town': *Borough and Town*, *passim*. Fabre translates: 'les deniers dus à saint Pierre par chaque maison des villes et villages': *Étude*, p. 134. Nothing in the original justifies mention of each house.

⁹ Above, pp. 24, 25.

¹⁰ Liebermann, *Gesetze*, I, 446, 447.

¹¹ Maitland, *Domesday Book*, p. 38.

¹² Schmid, *Gesetze*, pp. 372, 373; Liebermann, *Gesetze*, II, 506, 616.

¹³ *Campestrem*. Liebermann translates as above, but Fabre translates 'land': *Étude*, p. 135. Liebermann holds this translation to be incorrect: 'Peter's Pence,' *E.H.R.*, XI, 744, n. 9. Du Cange gives 'arable' as a common meaning. The laws of Edward the Confessor have livestock, and it is found later in manorial customs: below, p. 81.

¹⁴ Liebermann, *Gesetze*, I, 504, 505. According to Liebermann the law meant an income of thirty pence from livestock: *Gesetze*, II, 610; 'Peter's Pence,' *E.H.R.*, XI, 746; *Über die Leges Edwardi Confessoris*, p. 56. Larson asserts that the tax itself in the Danelaw was half that paid by the rest of the kingdom: *Canute*, pp. 191, 192. That does not seem to be the meaning of the above law.

men and servants, were exempted from payment by the penny of the lord.¹ If these customs obtained before the conquest,² there were free-men who were not subject to Peter's pence.³ On the unfree we receive only an uncertain light. Those who owed Peter's pence were defined in the Laws of William as freemen and in the Laws of Edward the Confessor as all men who possessed the requisite amount of property.⁴ The liability for or exemption from the penny of the unfree in the Anglo-Saxon period must be left among the many unsolved problems connected with the early history of the tax.

Concerning the receipt of Peter's pence by the pope before the Norman conquest, we have little information. The known surviving papal letters of the period do not mention the due.⁵ The successive royal laws from the time of Edward the Elder or Ethelstan to that of Canute create a presumption that the kings of this period intended to send the money to Rome, and Canute's letter of 1027 gives evidence of the same purpose, but we learn little about the actual transmission of the money and of its receipt by the pope. Alfred sent the alms of the West Saxons to Rome twice by an ealdorman and once by an abbot.⁶ Edward's messenger who carried the alms to the holy city was Plegmund, archbishop of Canterbury.⁷ The probability that the papacy was receiving Peter's pence during the first half of the tenth century is further attested by the recent discovery in Rome of a hoard of Anglo-Saxon coins which appear to have been hidden between 944 and 946. They were dug up near the house of the vestal virgins at the foot of the Palatine hill, not far from the location of a papal palace where some of the papal treasure was kept during the period. They appear to have been concealed, however, in the private dwelling of an official of the papal household. With the coins was a fibula inscribed with the words, 'Domno Marino Papa.' Since the 830 silver coins were minted in the period between the beginning of Alfred's reign and the close of Edmund's in 946,⁸ the fibula must

¹ Liebermann, *Gesetze*, I, 504, 505.

² Jensen regards them as modifications of the original requirement of a penny from each hearth, but he provides no proof of his assumption: 'Denarius Sancti Petri,' *T.R.H.S.*, new ser., xv, 187, 188.

³ Fabre, relying on the *Liber Censuum* (I. 590), attributes this law to Canute: *Étude*, p. 134. The extract in the *Liber Censuum* was supplied by Sinitius, a papal collector in England, in 1266. Liebermann has demonstrated that it is a hodge-podge from *Instituta Cnuti* and the Laws of Edward the Confessor: 'Peter's Pence,' *E.H.R.*, xi, 744.

⁴ Liebermann, *Gesetze*, I, 504, 505, 634.

⁵ Unless the letter of Leo III to Cenulf constitutes an exception: above, p. 8.

⁶ *Anglo-Saxon Chronicle*, II, 68.

⁷ Ethelwerd, *Chron.*, p. 519.

⁸ There were also some coins of Anlaf, king of Northumbria. He may have been Anlaf II, who was expelled from the kingdom in 944, but returned for three years between 949 and 952: Oman, *England before the Norman Conquest*, pp. 526-32.

refer to Marinus II, who was pope from 942 to 946. Such an ornament would have been worn only by a soldier or an official high in the papal service. De Rossi, who made the original description of the find, concluded that the coins represented a payment of Peter's pence which was hidden in his house by the papal official who owned the fibula. The money, he suggested, might have been paid to the official as part of his salary, or it might have been taken by him, acting in his official capacity, from the papal palace and concealed for the purpose of protection during a period when Hugo's attack on Rome endangered its safety.¹ Some recent historians have accepted the conclusion that the coins were an instalment of Peter's pence as an established fact,² though it is obviously no more than a strong probability.³ It is plausible, because the fibula establishes the probability of a connection between a papal official and the hoard, and, if the coins had come to the papacy through the offerings made by pilgrims, one would expect them to be mingled with coins from other countries.⁴ It is possible, however, that the association of the fibula with the coins was fortuitous and that the treasure never belonged to the papacy. Even if it did, it might have been received as oblations and not as Peter's pence.

Another discovery of Anglo-Saxon coins, made forty years earlier at the church of San Paolo fuori le Mura, probably has no relation to Peter's pence, though the assumption that the money represents a payment of that due has been put forward.⁵ The Anglo-Saxon coins, which were more than one hundred in number, constituted part of a hoard of approximately one thousand coins which came from several different countries. The collection ranged in date from the closing years of the tenth century to the seventh decade of the eleventh, and the coins from England were minted during the reigns of Ethelred, Canute, and Edward the Confessor.⁶ The mixture of Anglo-Saxon coins with those of so many other peoples and their location at the church of San Paolo, which was favored by pilgrims,⁷ render it more probable that they had been brought to the church by Anglo-Saxon visitors who left them on the altar as an expres-

¹ De Rossi, 'Nota,' *Notizie degli Scavi*, 1883, pp. 487-514.

² Jensen, 'Denarius Sancti Petri,' *T.R.H.S.*, new ser., xv, 192; Cabrol, *L'Angleterre chrétienne*, p. 332.

³ Fabre, Liebermann and Mann regard it as probable: *Étude*, p. 133, n. 1; *Gesetze*, II, 609; *Lives of the Popes*, II, 320, 321.

⁴ There were one gold coin and some four or five silver coins from elsewhere than England.

⁵ Jensen, 'Denarius Sancti Petri,' *T.R.H.S.*, new ser., xv, 192; Mann, *Lives of the Popes*, II, 321, 322. San Quintino, who described the discovery, did not make the assumption.

⁶ San Quintino, 'Monete,' *Memorie della Reale Accademia delle Scienze di Torino, Scienze morali, storiche e filologiche*, 2nd ser., vol. IX, x, 1-6, 101-3.

⁷ Jung, 'Das Itinerar,' *M.O.G.*, xxv, 20, n. 3; Liebermann, *Gesetze*, I, 276.

sion of their veneration of St Paul¹ than that they had been received by the papacy for Peter's pence.

Shortly before the close of the Anglo-Saxon period, however, we receive glimpses of the receipt of the due by the papacy.² Otto of Freising, writing a century after the event, related that Benedict IX, when he surrendered the papacy in 1045, reserved for himself the revenues from England.³ The allusion must be to Peter's pence, since it constituted the only permanent revenue due from England at the time. The story carries the implication that Peter's pence might be expected with approximate regularity, else its reservation would have been bootless. Again, in 1061, Peter's pence comes to light. In that year Ealdred, who was bishop of Worcester, went to Rome to obtain papal confirmation of his election to the archbishopric of York. Because the pope refused his request to continue to hold Worcester, Earl Tostig, who had accompanied Ealdred to Italy, made threat 'that the pennies which England renders to the pope at Rome should not be brought any longer.'⁴ The threat may have been carried out. Alexander II, writing to William I between 1067 and 1073, implied that Peter's pence, after a long preceding render of it, had been stopped recently.⁵ Tostig's threat in itself, however, implies that Peter's pence was being paid before 1061.⁶

2. DEVELOPMENT OF PAPAL CONTROL

After the Norman conquest the attitude of the papacy toward Peter's pence experienced a change. During the tenth century and the first half of the eleventh the initiative with regard to the dispatch of Peter's pence to Rome appears to have been taken in England. The lack of any papal letters on the subject is indicative of a passivity which corresponds well enough with the general position occupied by the papacy in the universal

¹ San Quintino thinks this unlikely, because there were no Roman coins in the lot. He suggests that they represent payments of census or oblations sent from the various countries to Rome. The Anglo-Saxons paid no census, unless Peter's pence be so designated. Whether the money was sent as gifts by the faithful or left by them in person seems immaterial.

² Jensen infers from Canute's letter that kings had previously been negligent about sending Peter's pence, and asserts that the carelessness increased after Canute's reign: 'Denarius Sancti Petri,' *T.R.H.S.*, new ser., xv, 192; xix, 209. I doubt if the letter will bear that interpretation, and he gives no evidence for the time after Canute's reign. Böhmer infers that Peter's pence had not been paid for a long time before the conquest, but his evidence seems to give no ground for the inference: *Kirche und Staat*, p. 80.

³ *M.G.SS.*, xx, 244; Mann, *Lives*, v, 251.

⁴ William of Malmesbury, *Vita S. Wulstani*, ed. Darlington, p. 16; *idem*, *Gesta Pontificum*, p. 252.

⁵ Migne, *Patrologia*, cXLVI, 1413.

⁶ Thomassin quotes a letter in which Edward the Confessor, writing to Nicholas II (1059-61), confirmed the pecuniary rights of St. Peter in England and announced that he was sending Peter's pence: *Vetus et Nova Ecclesiae Disciplina*, III, 114. He does not say where he found the letter.

church. During most of the period the occupants of the chair of St Peter were controlled in greater or less measure by local nobles or German emperors and were immersed in the politics of Rome and Italy.¹ Though the papacy was still acknowledged generally as the head of the church, its prestige was lowered and its positive authority was reduced to a shadow. With the reform of the papacy, which began in 1046, the papal headship became a dominating force in the church.² The centralization of the papal power and its extension beyond any limits previously attained necessitated the construction of a more efficient governmental machine. Good government, it was soon discovered, was expensive. Early in the process of transformation the papacy began to look to its finances. Papal records were ransacked to discover all revenues which could be claimed,³ and demands for payment were pressed with vigor.⁴ As part of this financial program the popes began to seek the prompt and regular render of Peter's pence.

It is possible, though not particularly probable, that Duke William, before he invaded England, undertook to pay Peter's pence to the papacy if he should acquire the English throne. After he learned of Harold's election, he sent a messenger to the Roman court to seek apostolic approval of his enterprise, which was granted.⁵ Several modern historians have assumed that William, in return for this favor, promised, among other things, to see that Peter's pence was rendered to the papacy. Since we have no definite knowledge of the instructions or acts of William's ambassador, this assumption is based on inferences drawn from later documents and events.⁶

Böhmer supports the inference by reference to the letter which William wrote to Gregory VII, probably in 1080, the letter written by Alexander II to William between 1067 and 1073, and a statement in the *Chanson de Roland*. The inference from the first rests presumably on William's statement that he would not do fealty because he had not promised to do it and his predecessors had not done it, followed by the announcement that he is sending Peter's pence.⁷ It may be inferred that the action of his predecessors was a cause of his payment of Peter's pence, but it hardly

¹ Duchesne, *Beginnings*, chs. xvi-xviii.

² Brooke, *English Church*, ch. ii.

³ Fabre, *Étude*, pp. 9, 21-25.

⁴ Lunt, *Papal Revenues*, I, 7-9.

⁵ William of Poitiers, *Gesta* in Migne, *Patrologia*, CXLIX, 1246; William of Malmesbury, *Gesta Regum*, II, 410; Ordericus Vitalis, in Migne, *Patrologia*, CLXXXVIII, 285; Wace, *Roman de Rou*, II, 140; Letter of Gregory VII, 24 April 1080: Migne, *Patrologia*, CXLVIII, 565, 566 (VII, 23).

⁶ Böhmer, *Kirche und Staat*, p. 80. Jensen makes the assertion without any evidential support: 'Denarius Sancti Petri,' *T.R.H.S.*, new ser., xv, 187.

⁷ Below, pp. 33, 45, 46.

follows that a promise given by him about Peter's pence was a second cause. Alexander's letter, which is preserved only in part, explains the previous relations between England and the apostolic see which constituted the background of the payment of Peter's pence, as the pope understood them.¹ The explanation seems superfluous in a demand for a payment which William had already promised to make, but most appropriate in a request for payment addressed to a new king who was bound to render the payment only by such precedents as his predecessors had set. In the *Chanson de Roland* occur two lines which may be translated to the effect that Charles the Great crossed the salt sea to England and conquered there the census for St Peter.² Since Charles never invaded England, the passage probably refers to the Norman conquest. Upon it is predicated the existence in northern France during the early years of the twelfth century³ of a belief that one purpose of the invasion had been to recover Peter's pence for the apostolic see. It is impossible to say what basis the belief had in fact, but it creates such balance of probability as exists in behalf of the view that William pledged himself to the payment of Peter's pence in return for the papal sanction of his invasion.

Freeman, though he assumes no promise on Williams' part, adopts the thesis that the desire for more punctual payment of Peter's pence influenced the papal decision in favor of William.⁴ He relies upon the same letter of William to Gregory, and upon the care 'which William took, after his coronation, to send to Rome "Sancti Petri pecuniam."' The former attests the desire of the papacy to receive Peter's pence, but not its sanction of William's project for that reason. Freeman's deduction with regard to the promptness with which William sent Peter's pence after his coronation rests upon a statement of William of Poitiers. In speaking of William's acts after that event he said: 'Romanae ecclesiae Sancti Petri pecuniam in auro atque argento ampliorem quam dictu credibile sit, et ornamenta quae Bizantium perchara haberet, in manum Alexandri papae transmisit.'⁵ Though it may have been, as Freeman interprets, the money of St Peter which William put in Alexander's hands for the Roman church, it seems more probable that he sent money and ornaments to Alexander for the Roman church of St Peter. This translation explains the costly Byzantine ornaments which were not likely to have constituted part of an instalment of Peter's pence. It was

¹ Migne, *Patrologia*, CXLVI, 1413.

² Gautier, *La Chanson*, p. 40.

³ The poem was probably composed by a Norman then or possibly late in the eleventh century: Boissonnade, *Du Nouveau*, pp. 427-43, 464-81; Fawtier, *La Chanson*, p. 104.

⁴ *Norman Conquest*, III, 320.

⁵ Migne, *Patrologia*, CXLIX, 1260.

surely a natural gesture for the conqueror to announce his success and display his gratitude with a rich present.

Whether any definite agreement with regard to Peter's pence was made between Duke William and the pope or not, the papal approval of the English venture and William's success in its execution placed the apostolic see in a position favorable for seeking Peter's pence. The papal attitude toward its finances was such as to produce a prompt utilization of the opportunity. Soon after the event Alexander II sent to William the previously mentioned letter, bringing to his attention the annual rent which the faithful English had been accustomed to pay to the apostolic see for division between the papacy and the English school at Rome.¹ Subsequently reminders of this type became common.

William apparently accepted Alexander's counsel with regard to the render of Peter's pence. Gregory VII, shortly after his accession in 1073, in his acknowledgment of a congratulatory letter addressed to him by the king, admonished William to watch over the property of St Peter which was collected in England as if it were his own, but he was significantly silent about the delivery of it being in arrear.² A few years later the conqueror became careless and the pope sent word to him by the legate Hubert, probably in 1080,³ that he had forgotten some of the annual payments. William acknowledged that the money had been collected negligently during the past three years while he had been in France, thus implying that the due had been paid previous to that time. He notified the pope that he was sending part of the amount in arrear by the legate and promised to transmit the remainder by Lanfranc's messengers when opportunity should be offered.

From 1084, when Guibert was established as a schismatic pope with the title of Clement III, until 1095, when Archbishop Anselm acknowledged Urban II with the grudging consent of William II, England maintained a neutral position between Clement III on the one side and Gregory VII and his successors, Victor III and Urban II, on the other.⁴

¹ Above, pp. 14, 30, 32.

² Migne, *Patrologia*, cXLVIII, 345 (1, 70).

³ Gregory's demand is known only by William's reply, which is undated: Ellis, *Original Letters*, 3d ser., I, 15. Brooke's argument that the date was 1080 is more convincing than Böhmer's for the same date: 'Pope Gregory VII's Demand for Fealty,' *E.H.R.*, xxvi, 225-33; *Kirche und Staat*, p. 134, n. 8. Tillmann, who argues that the date was 1075 or 1076, weakens the force of Brooke's assertion that Gregory VII first send Hubert to William on 28 February 1077, but relies too largely for the rest of her argument upon an interpretation of a letter written to Hubert by Gregory VII on 23 September 1079 which seems to me to be improbable: *Die päpstlichen Legaten*, p. 16, n. 25. For still further arguments see Fliche, *La Réforme grégorienne*, II, 345-49; Crozals, *Lanfranc*, pp. 237, 238.

⁴ Symeon of Durham, *Opera*, II, 219. Possibly William II inclined toward Clement III in the early years of his reign: Liebermann, 'Lanfranc and the Antipope,' *E.H.R.*, xvi, 328, 329; Brooke, *English Church*, pp. 144, 145. On the attitude of William I see a letter of Lanfranc: Migne, *Patrologia*, CL, 548, 549.

Between 1086 and 1089 Clement III ordered Lanfranc to consult with the king 'concerning the honor and due reverence of St Peter and the money of his kingdom.'¹ This oblique request for Peter's pence had no effect, for in a later communication the antipope expressed his astonishment that Lanfranc had not sent the oblation ordained by his predecessors.² Whether William I continued to send Peter's pence to Gregory VII we do not know, but it may be regarded as doubtful.³ Urban II was very prompt to demand render of the due. Within a month of his consecration he instructed Lanfranc to have the king send the money customarily received from England by St Peter to Cluny by Roger, a cardinal subdeacon and papal legate. He prefaced his request with the information that the Roman church stood in great need.⁴ The appeal was unsuccessful, since William II took advantage of the schism to forbid the delivery of Peter's pence to the papacy.⁵ The ban was not lifted until the red king consented to the recognition of Urban II by Anselm. In the spring of 1095 Walter, cardinal bishop of Albano, came to England as Urban's legate for the purpose of conferring the pallium upon the archbishop. After the ceremony he remained for a year and received Peter's pence for transmission to Rome.⁶

In 1096, if the strange tale recorded by Hugo of Flavigny may be trusted, Urban II secured the render of Peter's pence by the grant of a favor which William II desired.⁷ Early in the year the pope sent to England as a legate Gerento, abbot of Saint-Bénigne in Dijon, commissioned to arbitrate between the king and his brother, Robert, and to secure greater freedom from royal control for the English clergy. William, learning in advance of his mission, dispatched a messenger armed with ten gold marks to Urban and postponed his answer to Gerento while he awaited the outcome of his petition. His nuncio returned in company with a papal servant or relative who was a layman and professed to act as a papal agent, though he had no papal letter giving him such authority. He offered to postpone until Christmas the business which Gerento had propounded, if the charity owed to St Peter should be paid to him before his departure, or if a part of it should be paid immediately. Gerento's legatine powers with regard to the English clergy being thus

¹ Liebermann, 'Lanfranc and the Antipope,' *E.H.R.*, xvi, 331.

² *Ibid.*, xvi, 332.

³ After the schism there is no trace of a correspondence between the English government and Gregory VII and Victor III: Liebermann, *ibid.*, xvi, 328.

⁴ 10 April 1088: Migne, *Patrologia*, cli, 286-88. On the relations between Cluny and the papal camera at the time, see Jordan, 'Zur päpstlichen Finanzgeschichte,' *Q.u.F.*, xxv, 94-99.

⁵ William of Malmesbury, *De Gestis Regum*, ii, 511.

⁶ *Anglo-Saxon Chronicle*, i, 362.

⁷ 'Chron': *M.G.SS.*, viii, 474, 475.

abrogated, he went to Normandy to finish the arbitration between William and Robert.¹ This story, for which Hugo is our sole authority so far as it relates to England, creates suspicion by its very terms. If a properly accredited papal legate abandoned part of his task at the order of a papal agent who could produce no written evidence of his authority, it was surely an extraordinary action. The author, moreover, was prejudiced against the fiscal policy of the papal court, which he designated as 'the abyss of Roman avarice,' he was unreliable in other parts of his narrative,² and he swallowed rather improbable stories about England.³ Yet his narrative cannot be cast aside as a mere flight of the imagination. He was a monk of Gerento's monastery,⁴ and he accompanied his abbot on this mission.⁵ Possibly it is a reasonable interpretation of the story to accept as probable the delivery of Peter's pence by William II to another papal agent after Walter of Albano had departed. The implication that the payment was a bribe to obtain the withdrawal of Gerento and prevent papal interference with the royal control of the English church is more difficult of credence, because of Hugo's manifest prejudice on the subject. It should be remembered, on the other hand, that Urban II had a reputation for venality.⁶

After Anselm left England in 1097 and received papal support, the transmission of Peter's pence to Rome seems again to have ceased. Late in 1098 a royal nuncio came to Rome to present the king's side of the quarrel with Anselm. Urban met him with a threat to excommunicate William unless he received news before the third week of Lent that the archbishop's possessions had been restored by the king.⁷ The nuncio succeeded in obtaining a postponement of the date until Michaelmas, provided William would collect and send Peter's pence with more care. Before the money had been dispatched, however, Urban died,⁸ and during the brief remainder of the king's lifetime it was never paid. Otherwise, Paschal II would hardly have asked Anselm immediately after his return to England at the invitation of Henry I to cause the render of Peter's pence to be restored.⁹

¹ Gerento's presence in Normandy later in 1096 is attested by his signature of charters: Haskins, *Norman Institutions*, pp. 75, 76. ² Böhmer, *Kirche und Staat*, p. 153, n. 7.

³ Freeman, *William Rufus*, II, 589.

⁴ *Ibid.*, II, 588.

⁵ *Ibid.*, II, 588; Böhmer, *Kirche und Staat*, p. 153, n. 7; Tillmann, *Legaten*, p. 21, n. 53; Haskins, *Norman Institutions*, pp. 75, 76.

⁶ William of Malmesbury, *Gesta Pontificum*, pp. 101, 102; Lehmann, *Die Parodie*, pp. 45-49.

⁷ Eadmer, *Historia*, pp. 110, 111.

⁸ William of Malmesbury, *Gesta Pontificum*, p. 104, n. 1; Liebermann, 'Anselm von Canterbury und Hugo von Lyon,' *Historische Aufsätze*, p. 178.

⁹ Below, p. 36. William II apparently had no correspondence with Paschal II: Liebermann, 'Anselm von Canterbury,' *Historische Aufsätze*, p. 181.

Henry I began to pay Peter's pence soon after his accession without awaiting any request from the pope. Early in 1101 he wrote to Paschal II,¹ congratulating him on his promotion to the apostolic see and expressing the hope that the friendship which existed between his father and Paschal's predecessors might continue. He also announced that he was sending the 'beneficium' which St Peter had received from his ancestors in order that love and kindness might appear to begin with him. He then stated his position on the investiture controversy, which had been raised recently by Anselm, in a manner which could not have failed to be displeasing to the apostolic see. He offered to the pope those honors and that obedience in England which the papacy had previously enjoyed and asked in return to have the dignities, usages and customs which William I had possessed in the time of Paschal's predecessors. He concluded with a threat of the withdrawal of his obedience, if his proposal should be rejected.² The concession of his demand, as Paschal recognized,³ would have exempted Henry from the decrees of the council held in 1099 which prohibited lay investiture and the render of homage to laymen for ecclesiastical fiefs.⁴ The voluntary render of Peter's pence was obviously intended to dispose the pope favorably toward Henry's position, and Henry may also have hoped thereby to lessen the danger of papal support of Robert's claim to the English throne,⁵ which became a serious menace to Henry's position after Robert's return from the crusade.⁶

Despite Henry's gesture of goodwill with regard to Peter's pence, Paschal sent the customary demand for it. The letter was addressed to Anselm and ordered him to cause 'the census of St Peter to be restored by means of the love and fidelity due from the king to the pope.'⁷ An-

¹ The letter is undated. It was written after Anselm began the investiture controversy, which he did a few days after his return on 23 September 1100. It was agreed that messengers should be sent to the pope asking him to modify the conciliar decrees and allow the previous English usage to stand: Eadmer, *Historia*, pp. 119, 120. This letter is the one borne by these nuncios, since the letter which they brought back is obviously an answer to it: Eadmer, *Historia*, pp. 128-31. They did not leave England till February, because they also carried a letter of Anselm which mentioned the flight of Ralph Flambard: Schmitz, *Der englische Investiturstreit*, p. 19, n. 3. The date is the more probable, because the messengers did not return until after Robert's invasion of England: Eadmer, *Historia*, pp. 126-28. It began on 21 July 1101 and lasted only for a brief period: David, *Robert Curthose*, pp. 130-37. Rule and Rigg are probably mistaken in assigning the letter to the autumn of 1101: *Life of St. Anselm*, II, 273; *Anselm*, pp. 225, 226. They follow the author of the *Quadripartitus*: Liebermann, *Quadripartitus*, p. 152.

² Liebermann, *Quadripartitus*, pp. 151, 152.

³ Paschal's answer to Henry's letter: Migne, *Patrologia*, CLXIII, 70-72; Eadmer, *Historia*, pp. 128-31.

⁴ Eadmer, *Historia*, p. 114.

⁵ A letter written subsequently by Paschal to Anselm demonstrates that the danger existed: Migne, *Patrologia*, CLXIII, 81.

⁶ David, *Robert Curthose*, pp. 127, 128.

⁷ Migne, *Patrologia*, CLXIII, 80, 81.

selm was also asked to coöperate in this and other specified tasks with the nuncios, John, bishop of Tusculum, and Tiberius, a member of the papal household, who were being sent to England.¹ The letter is undated, but it was written before Paschal had received Henry's letter, since it would be superfluous to ask for a restoration of Peter's pence, if payment of it had been made recently. In all probability it passed Henry's letter on the way.²

The nuncios were in England on 3 September 1101, a month after the Peter's pennies of that year were due from the taxpayers, but it may be doubted if they received any of them. Henry's initial payment produced no effect upon Paschal's attitude with regard to lay investiture. The royal nuncios who carried Peter's pence to Rome returned to England, probably in August, 1101, with a papal letter which denied Henry's request for the customs of his father's time.³ When subsequent conferences between the king and Anselm failed to break the deadlock, it was decided to send to the pope an embassy bearing messages from both the archbishop and the king. This time Henry decided to fortify his demands with the threat of withholding Peter's pence. At the second interview between king and primate, which took place in the autumn of 1101, the bishops and magnates in attendance authorized the embassy to inform the pope orally that failure to alter his decision would cause him to lose the obedience of the kingdom and 'the stipend which he was accustomed to have from thence every year.'⁴ The threat brought no better result than the gift. After the return of the envoys in the summer of 1102, further conferences resulted in the agreement that Anselm should go to consult the pope with regard to the controversy.⁵ When he was given an audience by the pope in the autumn of 1103, a royal agent was allowed to state the king's cause. In his speech he called to mind the munificence of English kings in the past, and suggested that if the present king should lose the rights possessed by his ancestors, it would cause a great future loss to the Romans.⁶ Undoubtedly Peter's pence was understood to be part of the threatened loss.⁷

¹ Hugo of Flavigny said that the pope sent John to England on account of St Peter's census: 'Chron.': *M.G.SS.*, VIII, 494. Tiberius was a papal chamberlain: Dugdale, *Monasticon*, iv, 17.

² The letter was written probably soon after the pope received the news of Anselm's return to England and before he learned of the settlement between Henry and Robert. John, on his way to England, met the archbishop of Lyons, who was travelling to Rome, sometime after the middle of March, 1101: Liebermann, 'Anselm von Canterbury,' *Historische Aufsätze*, p. 189.

³ Eadmer, *Historia*, pp. 128-31.

⁴ Eadmer, *Historia*, p. 132.

⁵ *Ibid.*, pp. 133-52; Church, *St. Anselm*, pp. 308-19.

⁶ Eadmer, *Historia*, pp. 152, 153.

⁷ Liebermann, 'Anselm von Canterbury,' *Historische Aufsätze*, p. 188, n. 7; Schmitz, *Investiturstreit*, p. 51.

The threats of withholding Peter's pence failed either to win concessions with regard to investiture or to stop papal efforts to collect the due. In 1103, while Anselm was waiting at Bec for the heat of the summer to subside before proceeding to Rome,¹ he received a visit from Tiberius, who bore written and oral papal commands that the archbishop should help him to collect Romescot.² Though the subsequent activities of the papal envoy in the execution of this mission are unknown, Peter's pence was being collected from the English bishops during 1103. In two letters which Anselm wrote from Bec to Gundulf, bishop of Rochester, who was administering his affairs during his absence from England, he mentioned the payment of Peter's pence which he owed. In one he told the bishop that the payment of it could be postponed until Michaelmas,³ and in the other he expressed the hope that Gundulf had included Peter's pence among the archiepiscopal debts which he had paid.⁴ Unfortunately the letters fail to indicate whether the payment owed by Anselm included the sums which the archbishop collected from the bishops of England or only the amount which he assembled in the diocese of Canterbury,⁵ or whether it was rendered by Gundulf to the king or to the papal agent. It may be regarded as probable, however, that the papal envoy received no Peter's pence without the royal consent. Several years later Paschal asked Henry for his aid in establishing a more efficient collection of Peter's pence, because he regarded it as useless to undertake anything in England without the royal approval.⁶ The remark was doubtless based on previous experience.

The settlement of the investiture controversy did not end the differences of opinion between Henry I and Paschal II with regard to their respective powers over the English clergy, and Peter's pence continued to be an issue between them. In 1115, when Ralph, recently elected

¹ He left England after 27 April and remained at Bec until shortly before the middle of August: Eadmer, *Historia*, pp. 149, 151; Migne, *Patrologia*, CLIX, 122.

² Letters of Anselm which provide our only knowledge of this commission of Tiberius: Migne, *Patrologia*, CLIX, 120-23. His commission was probably issued in May or June, 1103: Jaffé, *Reg.*, 5947.

³ 'Solutionem Romescoti usque ad festum sancti Michaelis deferre potestis. Eleemosyna vero ne aliquam, penuriam patiat, prudentia vestra invigilet': Migne, *Patrologia*, CLIX, 217. Jensen, in a translation of this passage, seems to imply that 'Romescoti' and 'eleemosyna' both refer to Peter's pence: 'Denarius Sancti Petri,' *T.R.H.S.*, new ser., XIX, 221. The implication, whence an inference can be drawn with regard to the nature of Peter's pence, seems to me to be without foundation.

⁴ Migne, *Patrologia*, CLIX, 120. Jensen's inference from this letter that Peter's pence was to be paid by Gundulf to Anselm seems to me to be unwarranted: 'Denarius Sancti Petri,' *T.R.H.S.*, new ser., XIX, 220.

⁵ The latter seems more probable, since Michaelmas was the date when the episcopal share of Peter's pence became due.

⁶ Letter of 30 March 1115: Eadmer, *Historia*, p. 229.

archbishop of Canterbury, sought the pallium with the royal approval, Paschal took the opportunity to express his grievances. He appointed Anselm, who was abbot of St Saba, a member of his household, and a nephew of the late Archbishop Anselm, to carry the pallium to the new archbishop. He also charged the nuncio with a letter of complaint to be delivered to King Henry.¹ In this communication the pope protested Henry's rule that no papal nuncios or letters could be received in England and no appeals could be made thence to the apostolic see without royal consent. He continued with regard to Peter's pence: 'The alms of St Peter, as we have heard, are collected so wrongly and deceitfully that the Roman church has not previously received the half of them. This, like other things, is attributed wholly to you, because nothing can be undertaken in the kingdom without your consent. We will, therefore, that you cause them hereafter to be collected more fully, and do you send them by the present nuncio.'

This passage throws much light upon the status of Peter's pence in the time of Henry I. It gives no intimation that Paschal II had not received previously the amount of Peter's pence which his predecessors had received customarily.² If payments of the due had been withheld or had fallen into arrears, the pope would not have been likely to pass over the situation in such an arraignment of Henry's policy. The first complaint which he made was new, as far as our knowledge extends, though it was destined to be the subject of many letters issued by later popes. If this complaint is placed in conjunction with the letter which Paschal addressed to English prelates a year later, admonishing them to send Peter's pence to the Roman church without fraud,³ it becomes obvious that the English collectors of the tax were receiving more than was delivered to the papacy. Paschal made his charge of fraud probably because the surplus remained with the local collectors, as it certainly did at a later period.⁴ The accusation of dishonesty, however, was not justified, if, as seems probable, both the annual amount due to the pope and the quota owed from each diocese were already fixed by custom in 1115, as they undoubtedly were when later popes voiced the same accusation.⁵ The extent of the royal control of the administration of Peter's pence may also have been a grievance first uttered by Paschal II, but the control itself had probably existed as long as Peter's pence had been levied.

This letter is important also in another particular. It gives clearer

¹ Dated 30 March and received by Henry in June: Eadmer, *Historia*, pp. 226-30.

² Böhmer interprets to the contrary: *Kirche und Staat*, pp. 289, 290.

³ Below, p. 40.

⁴ Below, pp. 78, 79.

⁵ Below, pp. 56-59, 61-66.

expression than any previous papal utterance on the subject to a changing papal attitude with regard to the nature of Peter's pence. Though Paschal termed Peter's pence 'the alms of St Peter,' he manifestly thought of the revenue as a tax which ought to be levied by papal authority. It was not in his conception a gift sent voluntarily by the king.

As far as the papal protest related to Peter's pence, it appears to have had no result. At a great council, held at Westminster on 16 September 1115, Anselm presented a papal letter directed to the king and the bishops, in which some of the complaints contained in the letter to the king were repeated, but no mention was made of Peter's pence. With the advice of this council Henry sent an envoy to the pope, but his mission was to present the royal side of the case rather than to make concessions.¹ Henry kept control of the entrance of papal legates and letters into England and of appeals to Rome to the end of his reign.²

With regard to Peter's pence Paschal made another effort in 1116. On 24 May he again dispatched Anselm of St Saba to England, giving him the powers of a legate.³ His letter of credence, which was addressed to the archbishops, bishops and abbots, concluded as follows: 'We know that you have previously acted too slowly about the collection of the alms of St Peter; wherefore we warn and command your fraternity that hereafter you ought to transmit them zealously and without any fraud to the Roman church.' A special letter of credence directed to the archbishop of Canterbury asked him merely to display such zeal concerning the alms that the pope would owe him thanks.⁴ This time Paschal demanded not only the render to him of the full amount collected for Peter's pence, but also the direct delivery of the proceeds to him by the bishops. This attempt to escape the royal control of Peter's pence failed. Anselm presented himself to Henry in Normandy during August. The king kept him there as an honored guest and never allowed him to enter England. His letter of credence with its mandate concerning Peter's pence was consequently not delivered to the English clergy.⁵ If Anselm received Peter's pence,⁶ it was with the royal consent and under the conditions previously existing with regard to its collection, amount and delivery.

Paschal II was thus the first pope — as far as we know — who sought to bring the collection of Peter's pence directly under his jurisdiction by

¹ The papal letter was dated 1 April 1115: Eadmer, *Historia*, pp. 232–34.

² Brooke, *English Church*, p. 167; Böhmer, *Kirche und Staat*, pp. 298–303.

³ The date of his letter of credence: Eadmer, *Historia*, pp. 245, 246.

⁴ *Ibid.*, p. 246.

⁵ *Ibid.*, pp. 239, 245, 259.

⁶ Tillmann says that he did, but cites no authority for her assertion: *Legaten*, p. 25.

eliminating the royal control and to obtain all the pennies which were paid by the taxpayers. Though he was unsuccessful, he set an example which was emulated by many of his successors.

After Paschal's death in 1118, we learn little about Peter's pence during the remainder of the reign of Henry I. In 1119 the king instructed English prelates whom he allowed to attend the council of Reims to inform the new pope, Calixtus II, that he would pay annually the due established by his predecessors.¹ Four years later Henry, abbot of Saint-Jean d'Angely, who was a relative of Henry I, came to England empowered as the legate of Calixtus to receive Peter's pence. Though Honorius II became pope in 1125, Henry appears in 1127 still to have been acting in England as legate for the same purpose.² Possibly Peter's pence had no annals in this period, because Paschal's immediate successors did not revive the claims which he had advanced and found it unnecessary to press for render of the due as long as they were willing to accept it under the old conditions. Certainly they were more complacent on other questions which had been contested between Paschal and Henry I. Calixtus II granted Henry's plea that none should exercise the office of legate in England except at the king's invitation,³ and Honorius II conferred legatine authority upon the archbishop of Canterbury.⁴ Since there was less friction on other questions, it may be deemed probable that there was less on Peter's pence.

If any communications concerning Peter's pence passed between King Stephen and the papacy, no record of them appears to have survived. Our knowledge of the subject from 1135 to 1154 is derived from a single letter written between 1139 and 1143 by Henry, bishop of Winchester, in his capacity as papal legate, but the document displays a significant increase of papal control of the administration of Peter's pence. The letter was addressed to the prior and convent of Worcester acting in place of the bishop, because both the bishop and the archdeacon were absent. The legate rebuked the prior and chapter for their delay in sending Peter's pence, which he had received from all the other bishops at the prescribed date, and ordered them, by virtue of apostolic authority, to deliver the Peter's pence due from the diocese at Winchester within fifteen days, under penalty of an interdict upon their church and parish.⁵ The papal agent was no longer receiving the money for the pope through the agency

¹ Ordericus Vitalis, *Historia* in Migne, *Patrologia*, CLXXXVIII, 873.

² *Anglo-Saxon Chronicle*, I, 374, 377, 378; II, 218, 223, 224.

³ Eadmer, *Historia*, p. 258. If this was the form of the concession, apparently it was not kept: Tillmann, *Legaten*, pp. 25-27; Brooke, *English Church*, p. 169.

⁴ Brooke, *English Church*, p. 170.

⁵ Cotton MS. Vesp. E iv, fol. 203^v; Ellis, *Original Letters*, 3d ser., I, 22.

of the king; he was receiving it directly from the bishops by apostolic authority. The direct control of the principal local collectors of Peter's pence without the intervention of the king, which Paschal II had sought in 1116, was established by his successors during the reign of Stephen. The single instance might be deemed insufficient proof of the permanent exercise of such power by the papacy were this development not in entire accord with the expansion of papal authority in all the other fields of jurisdiction which had been in dispute between Henry I and the papacy. At the beginning of his reign Stephen granted to the English church freedom, which, as Brooke says so aptly, had come to mean not only freedom from lay control but also freedom to obey the laws of the church and the commands of the pope. During his reign papal legates and letters entered England at the pleasure of the pope, ecclesiastical suits were appealed to Rome without reference to the king, control of ecclesiastical synods and of episcopal and abbatial elections was lost to the king, and royal attempts to intervene between the pope and the English clergy were disregarded by the latter.¹ If papal control of the collection of Peter's pence did not become the normal practice in Stephen's time, it was a notable exception to the general trend of the contemporary development of papal authority in England.

Expressions used in the communications which have just been passed under review indicate that the popes of the first half of the twelfth century regarded Peter's pence as an annual payment which was theirs by right. Alexander II described it as 'annuam pensionem.'² This term was commonly employed by the papal financial department to designate the rents received by the papacy from the lands which it held in proprietary right. In the early period of papal history 'pensio' was usually applied to the rents paid by the tenants of the patrimonies.³ In the course of time 'census' appeared as its equivalent, becoming ultimately the word of common usage. The latter could be applied to many types of revenues, but, when the officials of the papal financial department gave the name to a papal revenue, it carried a connotation of the right and ownership of St Peter and the Roman church.⁴ When Alexander II called Peter's pence 'pensio' and Paschal II called it 'census,' they implied the existence of a right of proprietorship on the part of St Peter and the Roman church in the land which produced the revenue, and incidentally a papal right to the income produced, since the successor of the apostle re-

¹ Brooke, *English Church*, ch. xii; Böhmer, *Kirche und Staat*, pp. 370-404.

² Migne, *Patrologia*, CXLVI, 1413.

³ Lunt, *Papal Revenues*, I, 57; II, 4, 11; Gregorovius, *Rome*, II, 57; Schwarzlose, 'Die Verwaltung,' *Zeitschrift für Kirchengeschichte*, XI, 78, 79; Jaffé, *Reg.*, 923, 1437, 1439.

⁴ Fabre, *Étude*, pp. 26, 113-15; *Liber Censuum*, I, 2.

ceived in practice the revenues due from the lands which belonged in theory to the Roman church or to St Peter. Gregory VII expressed the same thought in his reference to Peter's pence as 'the property of St Peter.'¹ Though Paschal II spoke of the due as 'the alms of St Peter,'² he did not really regard it as a voluntary contribution, since, in the same letter, he commanded its payment in full.

The papal view of the nature of Peter's pence found general acceptance with writers of the twelfth century. In the *Quadripartitus*, which was written in 1114, a gloss on Canute's law concerning 'Romfeoh' explained that it was the census of Rome which was established 'by the liberal benevolence of our king.'³ This combination of the English tradition that Peter's pence originated as royal alms with the Roman view that it was census may have reflected the double allegiance of the unknown author, who was a clerk and served at one time as a royal justice.⁴ In the contemporary *Consiliatio Cnuti*, 'Romfeoh' was translated simply, without comment, as 'census of Rome.'⁵ William of Malmesbury customarily designated Peter's pence as tribute,⁶ and Henry of Huntingdon called it 'redditum statutum.'⁷ Later writers commonly employed one of these terms,⁸ or borrowed the official papal nomenclature of census.⁹ Yet the older English view did not disappear entirely in the Norman period. The writer of the laws of Edward the Confessor classified Peter's pence as royal alms,¹⁰ and Hugo of Flavigny, a foreign observer in England, designated it as a charity in one passage and as census in another.¹¹

Though this theory of the nature of Peter's pence is found neither in papal nor in English sources before the Norman conquest,¹² it existed early

¹ 'Rebus vero Sancti Petri.'

² The designation of Peter's pence as 'an oblation' by the antipope, Clement III, has little significance: above, p. 6.

³ Liebermann, *Gesetze*, I, 292.

⁴ *Ibid.*, III, 308, 309.

⁵ *Ibid.*, I, 293; III, 333, 334.

⁶ *Historia Regum*, I, 152; II, 511. In the *Vita Wulfstani* he calls it: 'nummi quos Anglia quot annis Romano pape pensitat': p. 16.

⁷ *Historia*, p. 124.

⁸ *Tributum*: *Landboc de Winchelcumba*, I, 2; Register of Evesham compiled between 1418 and 1433, Cotton MS. Titus C. IX, fol. 32; *redditus*: Robert de Torigni, *Chron.*, IV, 97; Roger de Hoveden, *Chron.*, I, 22; Thomas of Elmham, *Historia*, p. 333; *rente*: Robert of Gloucester, *Chron.*, II, 824.

⁹ *Gesta Abbatum*, I, 5; Brompton, in Giraldus Cambrensis, *Opera*, III, 423.

¹⁰ Liebermann, *Gesetze*, I, 634.

¹¹ 'Chron.,' *M.G.SS.*, VIII, 475, 494. The 'caritas sancti Petri' described in a chronicle of Peterborough seems to have been a payment owed by tenants of the monastery to the church of St Peter at Peterborough: *Chron. Petroburgense*, pp. 157-68.

¹² Canute acknowledged Peter's pence as a debt, but this falls far short of acceptance of the papal theory of proprietary right with its implications, particularly if Canute regarded Peter's pence as royal alms: above, p. 3, n. 1.

in the eleventh century. Thietmar, bishop of Merseburg, who died in 1018, included in his chronicle what he had heard concerning the contemporary Danish invasion of England. In this account he related that the Angles had been brought to such a pass by Swegen that they, 'who had before been tributary to Peter, prince of the apostles, and the spiritual sons of their holy father, Gregory,' paid to the Danish king a yearly census which he imposed upon them.¹ This analogy between Danegeld and Peter's pence rests upon the view that Peter's pence was a sign of English dependence upon the apostolic see. Though Thietmar may have voiced a popular opinion later adopted by the papacy, it seems far more probable that he derived his point of view directly or indirectly from the papal court. Well before the eleventh century it had become customary for monastic communities which desired the protection of the apostolic see to cause their property to be given into the theoretical ownership of St Peter and subsequently to pay an annual sum in acknowledgment of the eminent domain thus created.² The clerks of the papal court, following the obvious analogy between such payments and the rents paid for the effective enjoyment of the lands of the Roman church, classified them as census.³ Later in the eleventh century laymen outside of the States of the Church began to place their lands under the protection of St Peter and to render annual sums to the papacy in acknowledgment of their vassalage. The analogy between these payments and those made by the protected monasteries caused the papal clerks to place the two in the same category in their accounts.⁴ It is possible that such a tributary arrangement had been established with the duke of Poland late in the tenth century,⁵ and, even if the assumption of this precedent is erroneous, the analogy between the annual render of Peter's pence and the annual rents from the patrimonies was just as close early in the eleventh century as it was later.

Whatever may have been the status of thought on the subject at the papal court before 1018, no doubt exists that the analogy had been made and the deduction drawn therefrom that England was 'in jus et proprietatem beati Petri' by the time of the Norman conquest. Alexander II, in his frequently cited letter,⁶ reminded King William that his new kingdom had been under the protection of the prince of the apostles until 'certain ones, zealous for the pride of their father, Satan, broke the pact of God and turned the English people from the way of truth,'⁷ and that,

¹ 'Chron.,' *M.G.SS.*, III, 847, 848.

² Below, pp. 85, 86.

³ Fabre, *Étude*, pp. 28-65.

⁴ Fabre, *Étude*, pp. 115-26; below, p. 130.

⁵ Fabre, 'La Pologne et le Saint-Siège; *Études dédiées à Gabriel Monod*, pp. 163-66.

⁶ Migne, *Patrologia*, CXLVI, 1413.

⁷ A probable reference to Archbishop Stigand and his supporters. Stigand had given his obedience to an antipope.

while the English were faithful, they paid an annual *pensio* to the apostolic see. The analogy between Peter's pence and the census of protected monasteries is obvious. Peter's pence was *pensio*, and it was associated with St Peter's protection. England was not actually said to be 'in jus et proprietatem beati Petri' in the portion of the letter which survives, but this fragment was preserved in Deusdedit's collection of canons in the section which was headed 'De rebus ecclesiae' and contained evidence concerning the possessions and places subject to the Roman church.¹

When Gregory VII made his demand of fealty from William I, he associated it with Peter's pence. Unfortunately William's reply did not make clear the relation between the two. William wrote: 'Hubert, your legate, religious father, coming to me on your behalf, warned me that I should do fealty to you and to your successors, and should remember better about the money which my predecessors were accustomed to send to the Roman church.'² The problem whether Peter's pence was related to fealty as its cause, or whether the two were brought together only by the fortuitous circumstance that Gregory VII happened to instruct his legate to ask for both at the same time, has caused historians to offer various explanations for the demand of fealty.³

Some writers have suggested that Gregory VII claimed England as a fief on account of the papal sanction of William's invasion. For such an arrangement the fealty rendered in 1059 by Robert Guiscard for his accomplished and projected conquests in southern Italy and Sicily⁴ may have provided a precedent,⁵ though the analogy appears to be faulty. The Norman conqueror of southern Italy sought papal protection for his possession of lands to which he had no legal right and willingly became the nominal vassal of the Roman church in order to obtain it;⁶ the Norman conqueror of England wanted approval of the legality of his claim to the English throne.⁷ Unless William agreed to hold England from St Peter in return for papal support of his claim, the papacy had no ground for making the conquest the reason for a claim of fealty. Some modern historians have predicated such a promise.⁸ They can appeal to Wace as an authority,⁹ but the rhymes of a chronicler who wrote a popular history

¹ Fabre, *Étude*, pp. 21-24; Brooke, *English Church*, p. 141.

² Ellis, *Original Letters*, 3d ser., I, 15.

³ Fliche maintains that Gregory VII made no demand for fealty: *La Réforme grégorienne*, II, 347-49. His argument is not convincing. See Brooke, *English Church*, p. 143, n. 2.

⁴ *Liber Censusum*, I, 422.

⁵ E.g., White, *Making*, p. 127.

⁶ Fabre, *Étude*, p. 121.

⁷ Stenton, *William the Conqueror*, pp. 161-63.

⁸ E.g., Davis, *England under the Normans and Angevins*, p. 52; Adams, *History of England 1066-1216* (guardedly), p. 49.

⁹ *Le Roman de Rou*, II, 140. He is the sole authority: Freeman, *Norman Conquest*, III, 317, 318.

nearly a century after the event cannot stand against William's blunt statement that he had not promised to do fealty.¹

Another possible explanation is that the claim was based on the general thesis of the superiority of the spiritual power over the temporal.² Brooke, who held this opinion, acknowledged that it was the only instance of the kind. He even pointed out that every other contemporary claim of the same type was based upon some grant from a temporal ruler.³ He might have gone even further. When the papacy in this period claimed the fealty of a lay ruler, it could produce evidence from its records of some legal right to regard the land in question as 'in jus et proprietatem beati Petri.' The land had been granted to the Roman church, or the predecessors of its lay ruler had previously performed fealty, or the ruler owed census to St Peter or the Roman church, which was in itself a sign of the proprietary right of the apostle or his church.⁴ Brooke later abandoned this position and arrived independently at the conclusion, which Fabre had advanced earlier, that the ground for Gregory's demand was Peter's pence.⁵

Peter's pence was census. Census was the mark of the proprietary right of the Roman church in the land from which the census was paid. Lay rulers or lords of lands outside the States of the Church⁶ who paid census received protection and performed fealty.⁷ Consequently William I owed fealty to the apostolic see. Such appears to have been the general character of the reasoning which lay behind the demand of Gregory VII. William might have entered upon a long historical argument to prove that Peter's pence was voluntary alms and not census. He accomplished the same end with fewer words. He would not do fealty, because his predecessors had not done it.⁸ His reason for the denial of fealty practically raised the issue: if Peter's pence was census and census involved fealty, why had his predecessors not done it? The question was unanswerable, because the premise that Peter's pence was census could

¹ William's letter cited above.

² E.g., Jensen, 'Denarius Sancti Petri,' *T.R.H.S.*, new ser., xix, 214. General reasons for a contrary view are set forth by Hergenroether, *Church and State*, I, 401-10.

³ 'Pope Gregory VII's Demand for Fealty,' *E.H.R.*, xxvi, 237.

⁴ Fabre, *Étude*, pp. 113-26.

⁵ Brooke, *English Church*, pp. 140-43; Fabre, *Étude*, pp. 123, 124.

⁶ Many lords and cities within the States were in the same category, but some papal tenants still paid census which was an effective rent as distinguished from the nominal rents paid by those who held their lands by tenures which were essentially feudal: Lunt, *Papal Revenues*, I, 58, 59; II, no. 193; Fabre, *Étude*, p. 116.

⁷ Lack of evidence prevents the establishment of a connection between fealty and census in a few instances: Fabre, *Étude*, pp. 117-29.

⁸ William's letter: Ellis, *Original Letters*, 3d ser., I, 15.

not be proved. The papacy ceased to demand fealty,¹ but continued to reiterate the claim that Peter's pence was census.

The first three Norman kings do not appear to have accepted this view. William I spoke only of the money which his predecessors had been accustomed to send to the Roman church and gave it no name. Henry I designated it the 'beneficium' which St Peter had had from his ancestors, by which he probably meant gift rather than benefice. The royal actions, however, spoke more loudly than the royal words. William I and his sons kept control of the payment of Peter's pence to the papacy. No pope obtained Peter's pence in their time without their consent. William II withheld the delivery of Peter's pence for several years, and Henry I threatened to stop its render entirely. Both of these kings attempted to use their control of Peter's pence to bargain with the papacy. With the accession of Stephen the position changed. He may never have admitted in any formal manner that Peter's pence was census, but he accepted all the practical consequences of such an admission except the render of fealty. Control of Peter's pence slipped from his hands, and a papal agent collected the sums due the pope from the English bishops by the compulsory processes of the canon law.

In the central administration of Peter's pence the most notable change during the Norman period was the succession of papal agents who were sent to obtain payment of the money and to transport it to Rome. They began with Hubert, who came probably in 1080. He received part of the sum which was due and left the remainder to be carried by Lanfranc's messengers. Guibert, the antipope, sent no collector with his demands. He expected the archbishop to forward the money.² Urban II commissioned at least three agents to receive and transport Peter's pence and Paschal II dispatched envoys with similar powers on at least four occasions. Calixtus II sent a legate, who was apparently acting for Honorius II in the same capacity four years later. During Stephen's reign the only papal receiver of Peter's pence, of whom we learn, was Henry, bishop of Winchester, who was the legate of Innocent II from 1139 to 1143. During the period from 1066 to 1154 several other papal envoys came to England.³ Some of them may have been commissioned to seek Peter's pence, but the due is not mentioned in such accounts of their activities as we

¹ Jensen thinks that both Urban II and Paschal II associated fealty with Peter's pence: 'Denarius Sancti Petri,' *T.R.H.S.*, new ser., xix, 218-20. The terms 'fidem' and 'fidelitate' which he thus translates seem to me to bear their untechnical meanings in the contexts of the letters where they appear. Brooke also appears to interpret Paschal's 'fidelitate' in the sense of fealty: *English Church*, p. 178.

² Liebermann, 'Lanfranc and the Antipope,' *E.H.R.*, xvi, 331, 332.

³ Tillmann, *Legaten*, pp. 12-52.

possess. There were many years when, so far as we know, no papal representatives were present in England. In those years the money was probably sent by the king. Urban II, on one occasion, asked William II to send the money by the legate sent for the purpose, or by his own messengers,¹ implying that the latter mode of transmission was customary, and Henry I dispatched the money by his own envoys at least once. With the possible exception of Henry, abbot of Saint-Jean d'Angely, none of the papal agents sent before Stephen's reign remained in England long enough to become resident collectors of Peter's pence. Indeed, it may be doubted if they collected the due from the bishops. In all probability the archbishop of Canterbury continued normally to perform that function until the legateship of Henry, bishop of Winchester. Earlier papal agents probably dealt only with the king and the archbishop. If any of them approached the bishops directly, it was almost certainly done only with the royal permission. Before Stephen's reign, the papal agents were more significant as an indication of the more efficient management of finances at the papal court than they were for any effect they had upon the administration of Peter's pence in England.

Henry II made little attempt during the early years of his reign to alter the relations between church and state which had been established during the reign of Stephen.² Though we learn nothing specific about Peter's pence beyond a chance entry in a Pipe Roll which displays it being collected in 1161,³ there is no reason to assume that Henry treated it differently from the other ecclesiastical problems which confronted him. The chief collector probably continued to be the archbishop of Canterbury. After Becket fled from England, Alexander III ordered the bishop of London to assemble Peter's pence.⁴ It was evidently the absence of the archbishop which caused the appointment of the bishop as collector, and when the new collector needed information about his duties, he sought it from muniments preserved in the archiepiscopal chests at Canterbury.⁵ The archbishop may have been acting in his archiepiscopal or his legatine capacity, but the former is the more probable. Archbishop Theobald exercised legatine authority from 1150 to his death in 1161,⁶ but Becket, who became archbishop in 1162, was not commissioned as legate until

¹ Migne, *Patrologia*, CLI, 286-88.

² Brooke, *English Church*, p. 199. He did attempt to stop appeals to the pope: Thatcher, 'Studies concerning Adrian IV,' *Decennial Pubs. of the University of Chicago*, 1st ser., iv, 169, 170.

³ Pipe Roll Soc., *Pubs.*, v, 61.

⁴ Jaffé, *Reg.*, 11205; *Materials for the History of Becket*, v, 177.

⁵ *Materials*, v, 210, 211; Foliot, *Epistolae*, i, 235.

⁶ Tillmann, *Legaten*, p. 33; Holtzmann, *Papsturkunden*, i, 303-6. Its use was interrupted briefly on several occasions by the deaths of popes.

1166.¹ That the collection of Peter's pence normally remained an archiepiscopal function in the second half of the twelfth century is further substantiated by Gervase of Canterbury. In his presentation of the archbishop's side of a cause contested between him and St Augustine's, Canterbury, between 1178 and 1183, the chronicler adduced the collection of Peter's pence by the archbishop as evidence of the headship of Canterbury over all English churches.² Concerning the transmission of the money to the papal camera in these years, evidence is lacking.

When Henry II began his effort to recover the authority which his grandfather had wielded over the clergy, Peter's pence soon came into question. As soon as the quarrel with Becket reached a point where the king felt the need of papal support, the royal control of Peter's pence was again asserted as it had been by Henry I. According to Becket's biographer, Fitzstephen, Henry II, after Becket's flight in 1164, tried to secure the papal deposition of the archbishop by offering to increase the amount of Peter's pence sent from England annually. The royal envoys, after they had failed to obtain the desired boon in a public consistory, endeavored to persuade the pope secretly by proposing that Peter's pence, which was then paid only by bondmen, should subsequently be given from every house whence smoke issued forth in cities, towns, boroughs and villages. It was estimated that this change in the mode of levy would increase the papal receipts by £1,000 a year. Alexander III nevertheless refused to concede what the king asked.³ This story appears somewhat improbable. It was told by none of the other biographers of Becket, though some of them implied that the royal nuncios offered money for a favorable decision.⁴ Particularly noteworthy is the silence of Herbert of Bosham with regard to any attempt at bribery, since he was present at the papal court.⁵ Fitzstephen's narrative is, moreover, incorrect in details, because Peter's pence was not paid solely by unfree tenants.⁶

Whatever may be the truth of this story, Henry II forbade the render of Peter's pence to the pope soon after his ambassadors returned to England with the news of their failure. No formal decree of prohibition survives,⁷ but letters of Gilbert Foliot intimate that such a fiat had gone

¹ Tillman, *Legaten*, pp. 33, 34, 56; Jaffé, *Reg.*, 11270.

² *Historical Works*, I, 79.

³ 'Vita S. Thomae,' *Materials*, III, 70-74.

⁴ Alan and Anonymous I: *Materials*, II, 336; IV, 61. John of Salisbury said cautiously that the nuncios promised many things: *ibid.*, II, 313.

⁵ *Materials*, III, 335-37.

⁶ Below, pp. 80, 82.

⁷ On 26 December 1165, he ordered confiscation of Becket's property and actions against Becket's relatives and supporters, and prohibited appeals to the Roman court: *Materials*, III, 75, 76; V, 152. A decree ordering the detention of Peter's pence and its delivery to the royal treasury has sometimes been associated with the acts of 26 December 1165, but it belongs to a later date: *Materials*, V, 152, n.; below, p. 50, n. 7.

forth. After 8 June 1165, when Gilbert was commissioned by the pope to collect the Peter's pence of the current year,¹ he wrote to the king, giving notice of his appointment. 'But,' he continued, 'because all depends on your mercy, and it cannot be fulfilled except through you, we notify your excellency of it, in order that, if it please you, you may write about it to your justices and command that to be done which suits your will.' He urged the king, however, not to act in a manner which would turn the pope against him.² Subsequently he informed the pope that the king had given him permission to collect Peter's pence at the customary date, and added that without the royal mandate none in the kingdom would have answered to him for the due.³

At the great council held at Clarendon early in 1166,⁴ 'the oblation of the faithful, which is called Peter's penny because it is owed particularly to the successors of Peter,' was ordered to be detained and to be deposited with the royal revenue.⁵ Another similar prohibition was avoided in 1168 by the intercession of Peter of Blois, who persuaded Henry to forego his intention to withhold Peter's pence after two papal legates had failed to turn the irate king from his purpose.⁶ Late in 1169, however, the threat of an interdict stirred Henry again to take hostile action. From Normandy he sent to England an edict ordering several measures to be taken against the pope, the archbishop and their supporters. One clause of the new legislation directed that Peter's pence should no longer be rendered to the pope, but should be collected diligently, kept in the royal treasury and expended at the royal order.⁷

¹ *Materials*, v, 177. On the date see Jaffé, *Reg.*, 11205.

² Undated letter: *Materials*, v, 202; Foliot, *Epistolae*, II, 2.

³ Undated letter written after 1 August while the king was campaigning in Wales: *Materials*, v, 208, 209; Foliot, *Epistolae*, I, 242. The king returned from the expedition in September: Eyton, *Court*, pp. 82-84. It was probably written soon after 1 August, below, p. 52, n. 2.

⁴ Eyton, *Court*, p. 89.

⁵ Grim, 'Vita,' *Materials*, II, 405, 406; Garnier, *La Vie*, p. 94. One of the anonymous biographers of Becket, who attributes to this council several other decrees against the pope and Becket which are mentioned by Grim and Garnier, does not speak of the decree with regard to Peter's pence. He puts the council after Becket's departure from Pontigny, which took place on 11 November 1166: *Materials*, IV, 65, 66. His date for the council is impossible, because Henry II was in France from the spring of 1166 to early in 1170: Eyton, *Court*, pp. 92-135; Delisle, *Recueil*, Introd., pp. 526-28.

⁶ Peter of Blois, 'Contra Depravatorem,' *Opera*, II, p. LXXXVII. Peter does not give the date and he does not name the legates, but speaks only of two priors of the same order. Simon, prior of Mont-Dieu, and Bernard de Corelo were sent to Henry by the pope on 25 May 1168: Jaffé, *Reg.*, 11405. Later Engelbert, prior of Val-Saint-Pierre, was associated with them, and all three were present at the interview of Montmirail on 6 January 1169: *Materials*, VI, 488-99. This appears to be the only period when two priors of the same order representing the interests of the pope were in attendance upon the king.

⁷ William of Canterbury, 'Vita,' *Materials*, I, 54; also *Materials*, VII, 149. Given in briefer form by Roger de Hoveden, *Chron.*, I, 232. Gervase of Canterbury gives a copy of the decree which contains no mention of Peter's pence: *Works*, I, 214, 215. Roger places the edict early in 1165 and

Though Henry II asserted his power over Peter's pence strongly, his prohibitions appear to have been brief in duration. There is no indication that the papal share of Peter's pence went into the royal treasury. Between 1164 and 1170 only one item of receipt from Peter's pence was recorded in the Pipe Rolls. It was delivered by the royal keeper of the bishopric of Hereford during its vacancy.¹ It was designated as a surplus, and many similar entries in other years of the reign make it clear that the surplus was the amount of Peter's pence received by the bishop in excess of the amount which he owed for the papal share from his diocese. This excess was treated as temporalities, and by custom which probably went back to the reign of William II,² it was taken by the king whenever he administered the temporalities of a vacant bishopric.³ If Henry II seized the papal share of Peter's pence, it would not necessarily have been entered upon the Pipe Rolls, since these do not contain a complete record of the royal receipts.⁴ The silence of the Pipe Rolls assumes significance, however, when it is taken in conjunction with the indications that the pope received Peter's pence during the period.

The papal letter which appointed Gilbert Foliot to collect Peter's pence in 1165 authorized him to levy the sums owed by his fellow bishops, and asked him to advance a loan equal in amount to the annual papal share of Peter's pence and to dispatch it before 1 August by the papal nuncios sent to receive it. The bishop was unable to advance the loan because he did

Gervase in 1169. William assigns no date, and he does not relate events in chronological order. The four copies vary much in detail, and some subjects found in one are omitted in others. Stubbs has demonstrated that a clause found in all copies except Gervase's could not have been written before 1168, and that the preamble of the copy in vol. vii of the *Materials* places that copy in 1169 or early in 1170: Roger de Hoveden, *Chron.*, i, 232, n. The anticipation of an interdict by the edict probably places it after the interview between Henry and Becket on 18 November 1169, when the threat of an interdict first became a serious menace. See also Rashdall, *Universities*, iii, 15, notes 1, 2. On the interdict see Eyton, *Court*, pp. 131, 132; Norgate, *Angevin Kings*, ii, 71. The variations in the copies caused Robertson and Sheppard to suggest that the orders had been issued more than once 'with changes adapting them to the circumstances of each time': *Materials*, vii, 147, n. The similarity of the decree attributed by Grim and Anonymous I to the council of Clarendon to several sections of this decree gives force to the hypothesis. Lyttelton concluded that there was a stoppage of Peter's pence in 1165 and another in 1169: *History of Henry II*, ii, 401, 527, 528.

¹ Pipe Roll Soc., *Pubs.*, xi, 76, 77.

² He is reputed to have been the first king who exercised the power of keeping vacant bishoprics, but accounts which would indicate definitely whether or not the revenues included Peter's pence before the reign of Henry II are lacking. The single Pipe Roll of Henry I contains no entry of Peter's pence.

³ Fabre deduced from such entries in the Pipe Rolls of Henry II that the surplus of Peter's pence above the sum due the pope always went into the royal treasury: 'Beiträge zur Geschichte des Peterspfennigs,' *Zeitschrift für Social- und Wirtschaftsgeschichte*, iv, 459-61. The erroneous character of this deduction has been pointed out by Liebermann, 'Peter's Pence,' *E.H.R.*, xi, 747, n. 30; Jensen, *Der englische Peterspfennig*, pp. 52, 84-86.

⁴ Pipe Roll Soc., *Pubs.*, new ser., i, p. xiv; vi, p. xv.

not have the money himself, and he was unable to borrow money for the purpose because the demands made for the maintenance of the royal army then upon an expedition to Wales had exhausted the possible sources of supply.¹ On the receipt of information to this effect Alexander III ordered Gilbert to send the money, when it had been fully collected, to the abbot of Saint-Bertin.² Thereafter Gilbert informed the pope that he had collected and dispatched to the abbot of Saint-Bertin, by his own nuncio and a brother sent by the abbot, all of the £200 due for Peter's pence except £9 5s. owed by the bishop of Exeter. This he could not collect, because the bishop of Exeter claimed that he did not receive that much annually from the Peter's pence of his diocese. Since Gilbert's commission did not permit him to accept a smaller sum and gave him no power to use canonical coercion to compel payment, he asked the pope what he should do about this item.³ Alexander, in reply, expressed his wonder that Gilbert had not received the item, since the bishop of Exeter professed to have been among the first to pay what he owed for Peter's pence.⁴ How this difficulty was settled does not appear in the surviving correspondence, but the delivery to the papal agent of the remainder of the papal share of the Peter's pence for 1165 is amply attested.

The correspondence of Gilbert Foliot also demonstrates that the pope received the Peter's pence due in 1166, despite the royal prohibition declared at the council of Clarendon early in the year. On 30 June 1166, Gilbert received a papal command to collect Peter's pence from the bishops and to assign it to papal nuncios.⁵ He wrote to Henry II, who was

¹ Above, p. 50; *Materials*, v, 177, 202, 203, 208, 209.

² 22 August 1165: *Materials*, v, 200–202. On the date see Jaffé, *Reg.*, 11237. The letter appears to have been in reply to Gilbert's apology for not sending the loan. If so, Gilbert's letter was written not long after 1 August, since the papal letter was written from the south of France.

³ Undated letter: *Materials*, v, 210, 211; Foliot, *Epistolae*, I, 235, 236. The letter was obviously written after receipt of the papal letter of 22 August 1165, but Jensen ascribes it to 1166: 'Denarius Sancti Petri,' *T.R.H.S.*, new ser., xix, 225.

⁴ Undated letter placed by Jaffé in 1166 with a query: *Materials*, v, 295, 296; *Reg.*, 11306. If it was in reply to Gilbert's preceding letter, as seems probable, it could hardly have been written before the last days of 1165 or the early days of 1166. Alexander reached Rome in November, 1165.

⁵ Gilbert referred to receipt of the mandate, which is not known to be extant, in a letter to Henry II: *Materials*, v, 417. In the same letter he mentions receipt of two other papal bulls. They were dated 24 April and 3 May: Jaffé, *Reg.*, 11271, 11273. Miss Norgate suggests, on grounds apparently inadequate, that the bishop received the letters not on the feast of St Paul (30 June 1166) but on the day of the conversion of St Paul (25 January 1167): *Angevin Kings*, II, 68, n. 1. She does not explain why it should have taken nearly nine months for letters to have come from Rome to London, even if the messengers stopped at Pontigny to see Becket, as they apparently did: *Materials*, v, 417, 418; VI, 37.

The letter of Becket which supplies this information (VI, 37) was probably brought by the papal couriers. It ordered the bishop to make known to the diocesans of Canterbury and to the bishop of Durham Becket's recent commission as papal legate. This instance of the apparent use by the archbishop of the services of the bishop of London in his capacity as dean of the province of Canter-

then across the Channel,¹ asking permission to execute the mandate.² Apparently the king sanctioned the collection of the money but not its delivery to the nuncios. When the bishop had assembled all of 'the census of St Peter' except £42 due from Lincoln and £5 from Ely, he informed the king that he had been unable to deliver his receipts to the eight Flemish merchants to whom the pope had assigned it in payment of their loan to him of 300 marks, because the merchants had been compelled to leave England while he was still awaiting royal permission to make the delivery. He ended with an expression of his opinion that it would be to the king's advantage to allow the pope to receive the money.³ The desired approval was given in due course, for Gilbert later consulted Alexander III with regard to its transportation. He hesitated to take responsibility for its transmission through the lands of unknown peoples which were outside the peace of Henry II, and asked the pope to have nuncios at Rouen to whom the episcopal messengers could transfer the money about 1 October.⁴

After 1166 the letters of Gilbert Foliot fail us, but a series of entries in the Pipe Rolls displays Peter's pence being paid to the pope from the bishopric of Lincoln every year from 1166 or 1167 to 1171 or 1172 inclusive. The royal keepers of the vacant bishopric received credit each year for £42 paid by them for Peter's pence to 'the apostle' or to 'the lord pope.'⁵ Henry's prohibitions were evidently revoked before they had accomplished their purpose.

The reason for Henry's vacillation was probably the alternation of the hope that threatened loss of the revenue might incline Alexander to his side of the controversy with the fear that its actual loss might have the opposite effect. Gilbert Foliot was decidedly of the opinion that it would do Henry's cause more harm than good to deprive the pope of this cus-

bury for the purpose of communicating with his suffragans antedates the earliest example supplied by Churchill by sixty years: *Canterbury Administration*, I, 355. Possession of this office may explain why the bishop of London was appointed collector of Peter's pence during the archbishop's exile.

¹ Eyton, *Court*, pp. 94-104.

² *Materials*, v, 417, 418; Foliot, *Epistolae*, II, 7.

³ Undated letter: *Materials*, v, 211, 212; Foliot, *Epistolae*, II, 3. The editors of the former place the letter under 1165. In that year, however, the king gave permission both to collect and dispatch Peter's pence, it was Gilbert who was asked to anticipate receipt of the proceeds by a loan, and the bishop of Exeter was the only tardy payer. The letter must, therefore, be ascribed to another year, and it appears to fit exactly into the series for 1166.

⁴ Undated letter: *Materials*, v, 209, 210; Foliot, *Epistolae*, I, 200, 201. It also is assigned to 1165 by the editors of the *Materials*. It obviously belongs to another year, because Peter's pence in that year was sent to the abbot of Saint-Bertin by messengers of whom one was his agent. Jensen assigns a different chronological order to this and to several other letters in the series: 'Denarius Sancti Petri,' *T.R.H.S.*, XIX, 222-28.

⁵ Pipe Roll Soc., *Pubs.*, XI, 58; XII, 77; XIII, 45; XV, 152; XVI, 111; XVIII, 96.

tomary revenue. Alexander III was in straitened financial circumstances as a consequence of his opposition to the emperor and the resultant schism. His attempts to anticipate Peter's pence by loans were indicative of the exigencies of his financial situation.¹ Laboring under extreme financial pressure, Peter's pence was to him of exceptional importance. The bishop of London apparently feared that the suspension of Peter's pence under such circumstances might be enough to turn him decisively in Becket's favor and thus render Henry's effort to restore the royal control of the clergy to its ancient limits² difficult — or even impossible — of attainment. He evidently thought that the king would do well to sacrifice his control of Peter's pence for the sake of establishing the remainder of his program of control of the English clergy. There was never a hint in his letters that the king did not have the power to suspend the payment of Peter's pence to the pope, and the king manifested his belief in his possession of such a power by the issue of the prohibitory decrees. His failure to enforce the decrees must have weakened the authority which he claimed. Henry I had likewise failed to carry out his threats to withhold Peter's pence, and, between his threats and those of Henry II, Peter's pence had apparently been rendered to the papacy for a long interval without opposition. The policies of Henry II with regard to Peter's pence between 1164 and 1172 probably served only to harden a custom which was gradually making the apostolic see independent of the king for the receipt of Peter's pence.

After the settlement between Henry II and the legates of Alexander III at Avranches in 1172, Peter's pence appears to have been rendered to the pope regularly. Beginning with the Pipe Roll made up at the Michaelmas session of 1181, payment of Peter's pence owed to the pope in one bishopric or another is recorded for every year during the remainder of the reign.³ The money was delivered to the archbishop of Canterbury except in 1186, when the keepers of the archbishopric of York made their render to papal nuncios at Canterbury.⁴ After the contest with Becket, as before, the archbishop of Canterbury normally collected from the bishops, though the question may still be raised whether he acted in his archiepiscopal or legatine capacity.⁵

¹ Lunt, *Papal Revenues*, I, 9, 10, 37, 38; *idem*, 'Consent of English Lower Clergy,' *Facts and Factors in Economic History* by students of E. F. Gay, p. 87.

² This was the broad purpose of the constitutions of Clarendon: Brooke, *English Church*, pp. 201-11.

³ Pipe Roll Soc., *Pubs.*, xxx, 64; xxxi, 62; xxxii, 59; xxxiii, 40; xxxiv, 78, 79, 125, 126, 142; xxxvi, 101; xxxvii, 98; xxxviii, 9, 10.

⁴ The nuncios were not named, and Tillmann records no nuncios in the fiscal year 1185-86.

⁵ Richard (1174-84) and Baldwin (1185-90) were both appointed legates: Tillmann, *Legaten*, p. 34; Holtzmann, *Papsturkunden*, I, 418, 446, 470.

During the reign of Henry II the papacy intervened directly in the local administration of Peter's pence for the first time. Alexander III, presumably on the petition or appeal of the abbot and convent of Ramsey, forbade the archdeacons in whose archdeaconries the churches of Ramsey were situated to impose several specified burdens on those or any other churches within their jurisdictions.¹ One burden was defined as follows: 'When, moreover, you make collections of Peter's pence in your archdeaconries, do not venture in making a collection to burden the aforesaid churches or parishes otherwise or more than your predecessors are known to have done in the time of Innocent [II] and Eugenius [III], Roman pontiffs of holy memory.' The decree regulated the collection of Peter's pence by collectors who, as such, were subordinate to the bishop.²

Since the decree was later incorporated in the Decretals of Gregory IX and given general application,³ its significance deserves consideration. The monks sought to protect the churches of which they were rectors from extortionate exactions by the archdeacons. Since the other charges enumerated in the decree fell upon the incumbents of churches, it may be assumed that Peter's pence was in the same category. The monks were not attempting altruistically to relieve the parishioners of their churches from financial burdens. The amount of Peter's pence which the archdeacons were required to keep the same as it had been under Innocent II (1130-43) and Eugenius III (1145-53) was that which was paid to them by the incumbent of each parochial church. The decree assumed that the parish priest collected Peter's pence from his parishioners. Apparently it fixed permanently the amount which the rector or the vicar had to pay to his archdeacon at the sum which had been paid customarily by the incumbent in approximately the second quarter of the twelfth century. The law did not limit the total amount of Peter's pence paid by the taxpayers, but left it to wax or wane as the population increased or decreased. Its purpose was to prevent the archdeacon from encroaching upon the rights of the incumbents of parish churches, and it implied that

¹ *Cart. de Rameseia*, II, 152, 153. The letter is dated Anagni, 1 June, without sign of the year. Alexander III was at Anagni on 1 June in 1160, 1173, 1174 and 1176. Not only are the mathematical chances three to one that the letter was written after 1172, but the historical probability is weighted in the same direction. Though appeals from England to the pope could be made before 1164, a great outburst of them followed Henry's agreement at Avranches to allow freedom of appeal: Brooke, 'Effect of Becket's Murder,' *Cambridge Historical Journal*, II, 217-25.

² In the diocese of Lincoln, where many of the churches of Ramsey were located, the bishop was the collector who dealt with the archbishop: Pipe Roll Soc., *Pubs.*, xxx, 63, 64. He must have collected from the archdeacons or by means of them. This was the practice in most dioceses, though Ely may have been an exception: below, p. 73. Fabre's assumption that the archdeacons collected Peter's pence for the king is based on an erroneous interpretation of the Pipe Rolls: 'Beiträge,' *Zeitschrift für Social- und Wirthschaftsgeschichte*, IV, 460, n. 12.

³ Lib. III, tit. xxxix, cap. 12.

the maximum amount of Peter's pence which the archdeacon could exact from each incumbent had been established for a long time. The pontificates of Innocent II and Eugenius III were not necessarily chosen because the sums were first stabilized in that period; they may have been selected because they were within the easy memory of man and were sufficiently remote to prevent current tendencies of the archdeacons to increase the customary amounts. The custom may have been much older than 1130.¹

During the reigns of Richard and John the receipt of Peter's pence by the papacy made little impression upon extant contemporary records until Innocent III made an attempt to obtain the full amount of Peter's pence which was collected from the taxpayers. On 31 December 1205 he appointed Peter des Roches, who had come to Rome to be consecrated bishop of Winchester, the papal collector of Peter's pence, probably because the archbishopric of Canterbury was vacant as far as he knew. Apparently because he had recently learned that the local collectors of Peter's pence retained some of their receipts,² he commissioned Peter to collect for the papal camera the full amount paid by the taxpayers. The bishop brought with him on his return to England a papal letter addressed to the archbishops, bishops, archdeacons and deans of England.³ Peter's pence, they were informed, was collected faithfully but paid faithlessly to the pope for whose need it was collected. In order to protect the Roman church against damage and their souls against the peril incurred by fraud, the bishop of Winchester had been empowered to collect Peter's pence in full and to compel any opponents by ecclesiastical censure. They were therefore ordered to obey his instructions in the matter.⁴ The effect of the mandate would have been, as a chronicler understood it, that

¹ Fabre postulates upon this decree a theory that the amount of the papal share of Peter's pence had been fixed by a convention in the time of Innocent II. At first he thought that the English bishops were the party to the convention, but, when he later decided, on the basis of a mistaken interpretation of the Pipe Rolls, that the king received the portion of Peter's pence which did not go to the pope, he made the king the other party to the agreement. He thought it possible, indeed, that the king had fixed the amount without reference to the pope: *Étude*, pp. 141, 142; 'Beiträge,' *Zeitschrift für Social- und Wirthschaftsgeschichte*, iv, 460, 461. The theory not only runs counter to the above inference that the decree ratified existing custom but also gives to the decree an entirely different meaning. I fail to see any justification for the assumption that the decree authorized local collectors other than the incumbents of parish churches to retain any portion of Peter's pence. The papacy, moreover, was receiving less than the sum collected for Peter's pence at least fifteen years before the pontificate of Innocent II: above, p. 39. For further criticism of the theory see Jensen, 'Denarius Sancti Petri,' *T.R.H.S.*, new ser., xv, 183-86.

² Below, p. 70.

³ *Ann. de Waverleia*, p. 257. The letter is edited by Delisle in *Bibl. de l'École des Chartes*, xxiv, 414.

⁴ The letter seems to dispose of Miss Tillmann's conjecture that the legate, John of Ferentino, cardinal deacon of Santa Maria in Via Lata, who was in England from April or May to November, 1206, collected Peter's pence: *Legaten*, pp. 92, 93.

the parish priests would collect a penny from every house whence smoke arose, list the houses, and deliver the lists and the money to the rural deans, whence both lists and money would pass through the hands of the archdeacons and the bishops to be delivered by the last to the papal collector.¹

This attempted innovation stirred the opposition of both the clergy and the laity. Their complaints caused the king, on 26 May 1207, to address a writ to the clergy, who had been summoned to meet in council at St Albans to consider 'paying Peter's pence beyond the custom,' ordering them not to hold the council and not to decree any departure from the custom of the kingdom before they had conferred with him.² What happened with regard to the council and the conference is unknown, but the papal mandate remained without effect.³

The papal failure to increase the receipts from Peter's pence was followed by the loss of the customary amount. When the quarrel between John and Innocent III over the appointment of Stephen Langton to the archbishopric of Canterbury resulted in the imposition of an interdict upon England, part of John's policy of retaliation was the suppression of the render of Peter's pence to the pope.⁴ He was able to maintain his policy with such success as had attended the similar policy of no previous king since the time of William II, because he confiscated the lands and revenues of the clergy who obeyed the papal decree,⁵ and particularly because he secured control of the bishoprics. On 24 March 1208, when the sentence was published,⁶ some of the bishoprics were in the king's hands on account of their vacancies.⁷ A few days before the interdict was proclaimed, John began to seize the others, and within a brief interval after 24 March his keepers were in possession of the bishoprics of the fifteen dioceses whence Peter's pence was paid to the apostolic see.⁸ Some of the bishoprics were subsequently restored to their bishops with the provision that the bishops should act as the royal keepers of the bishoprics.⁹ Control of the bishoprics enabled John to enforce his prohibition with an

¹ *Ann. de Waverleia*, p. 257.

² *Rot. Lit. Pat.*, I, 72.

³ *Ann. de Waverleia*, p. 257.

⁴ Gervase of Canterbury, *Opera*, II, 101.

⁵ *Rot. Lit. Pat.*, I, 80; *Rot. Lit. Claus.*, I, 107, 108, 114.

⁶ Norgate, *John Lackland*, pp. 127, 128.

⁷ *Rot. Lit. Claus.*, I, 100; *Rot. Cancellarii de tertio Anno Regni Regis Johannis*, p. 356; Norgate, *John Lackland*, p. 128.

⁸ *Rot. Lit. Claus.*, I, 103, 107, 108, 111, 112; *Rot. Lit. Pat.*, I, 80. These records of seizure do not include the bishopric of London, but it probably did not escape the general fate. It was in the king's hands in 1212: *Rot. Lit. Claus.*, I, 127.

⁹ *Rot. Lit. Claus.*, I, 108, 111-13. The proviso is recorded in some instances, but not in all.

effectiveness to which the will of Hugh of Wells, bishop of Lincoln, gave testimony. Hugh was elected to Lincoln in 1209, but he did not obtain possession of his see, because he went abroad and accepted consecration from the exiled Stephen Langton.¹ His will, which was dated 13 November 1212,² specified that his debts should be paid, and among them was enumerated 261½ marks owed to the pope for Peter's pence from the bishopric of Lincoln during the testator's tenure of the episcopal office. Since the sum due was £42 annually, Hugh provided enough to pay £6 6s. 8d. more than was due for four years, though he had been bishop for not quite three years.

The papacy, however, eventually recovered the Peter's pence which John caused to be withheld. When peace was made between king and pope in 1213, John agreed to reimburse the clergy for the losses suffered by them during the period of the interdict.³ Among them were included the sums owed by the bishops to the papacy for the arrears of Peter's pence which had accumulated as a consequence of the royal prohibition. In 1215, for example, John assumed the obligation to pay to Innocent III £136 which were owed from Lincoln for Peter's pence and obtained thereby the cancellation of an equivalent amount of the debt in which he was held to the bishop of Lincoln.⁴ John's prohibition, though temporarily successful, ended in an ultimate failure which served only to emphasize the right of the apostolic see to receive annually the customary amount of Peter's pence.

Innocent III, however, was still discontented with the customary sum. On 28 January 1214, he renewed the attempt which he had made in 1205 to obtain the whole amount which was collected. The agents whom he selected to carry out his second endeavor were Nicholas, bishop of Tusculum, who was acting in England as apostolic legate, and Pandulph, a member of the papal household who had come to England to represent the pope in the negotiations which had established peace in May, 1213. He explained to them in the letter which constituted their commission to collect Peter's pence that, though each house in England was held to pay annually to the pope a penny for the census of St Peter, the English prelates who collected the pennies in the name of the papacy appropriated so

¹ *Dict. Nat. Biog.*, xxviii, 168.

² *Lincolnshire Notes and Queries*, II, 173; H.M.C., *Cal. of MSS. of Dean and Chapter of Wells*, I, 431. He made a new will in 1234 which arranged for the payment of his debts, but did not name Peter's pence among them: Giraldus Cambrensis, *Opera*, VII, 223-30.

³ *Rot. Lit. Claus.*, I, 164; Roger of Wendover, *Chron.*, III, 248-52.

⁴ *Rot. Lit. Pat.*, I, 156; *Rot. Lit. Claus.*, I, 229. The documents do not specify that the debt for Peter's pence had been incurred during the period of the interdict, but the king was under no obligation to pay debts incurred by the bishop after his restoration in 1213.

much of the proceeds illegally that the papacy received only 300 marks a year, while they retained 1,000 marks or more. For that reason he ordered the collectors to enjoin the local collectors to deliver the whole of the remainder and to compel them to do it by ecclesiastical censures with the right of appeal denied. 'For,' he said, 'we do not see by what right they can protect themselves, when they can neither show a concession made to them by the apostolic see nor prove the prescription of a century against the Roman church.' He instructed his delegates, nevertheless, to establish a term within which the local collectors might seek judgment in the papal court, if they wished to do so, giving warning, however, that if such judgment should go against them, the Peter's pence previously subtracted by them would be computed in the judgment.¹ In this document the assumption that Peter's pence was a papal tax levied by and dependent solely upon the papal will was complete.

Concerning the fortunes of this mandate in England we learn little beyond the mere fact that Pandulph was still attempting to enforce it in the summer of 1215.² What actions were taken by the collectors and what response was made by the English clergy remain outside our knowledge. The local collectors probably could have established a prescriptive right of a century or more to the balances which they retained,³ but we have no indication that they did. We may rest comfortably certain, however, that the command of the great pope was not obeyed by the English clergy, whatever the reason may have been. The amounts due the papacy for Peter's pence from each English diocese contained in the declaration issued by Gregory X in 1273 were the same as those entered by Cencio in the *Liber Censuum* in 1192.⁴

Though Innocent III failed in both his efforts to obtain the full amount of Peter's pence, the papacy undoubtedly increased its direct control of the administration of Peter's pence during the reigns of the first three Angevin kings. Aside from the periods of controversy between king and pope, which extended from 1164 to 1172 and from 1208 to 1213, the king does not appear to have interfered with the flow of Peter's pence to Rome. To what extent the pope exercised control over the archbishop of Canterbury, who acted as the principal collector of Peter's pence during most of the period, is not apparent. Alexander III commissioned Gilbert Foliot to collect Peter's pence from the bishops and gave him orders with regard

¹ Rymer, *Foedera*, I, 118.

² Walter of Coventry says he was elected bishop of Norwich while still engaged with the attempt: *Memoriale*, II, 223. He was elected between 18 July and 9 August, 1215: *Cal. Lit. Pat.*, I, 149, 152.

³ Above, p. 39.

⁴ Compare Lunt, *Papal Revenues*, II, 65, with *Liber Censuum*, I, 226. The slight variations are obviously due to clerical errors.

to the transmission of the money but left him free to pursue his own course with regard to the actual collection. On another occasion he had the collection made from the bishops by his own nuncio. He also regulated in some measure the powers of the archdeacons as local collectors. Innocent III acted in all respects as if Peter's pence were a papal tax of which he possessed full power to control the levy. Though he claimed more authority than he was able to exercise in practice, he twice appointed the principal collectors of Peter's pence and empowered them to enforce payment from local collectors by means of ecclesiastical censures. On the second occasion the collectors were papal envoys who acted without protest from the king. They did not deal directly with the taxpayers, but they could exert a slight amount of control indirectly through the pressure which they could bring to bear upon the bishops. The old conception that the clergy raised Peter's pence for the king who delivered it to the apostolic see had been supplanted by the close of John's reign by the view that the English bishops acted as agents of the papacy in the collection of Peter's pence.

In the same period the theory that Peter's pence was census advanced to its logical conclusion. Not only did the papal scribes designate Peter's pence as census, but even Gilbert Foliot, the supporter of Henry II in the controversy with Becket, in a letter humbly requesting the royal permission to collect Peter's pence in obedience to the papal command, styled the due 'censum beati Petri.'¹ The papal view that the payer of census to St Peter was under the protection of and dependent upon the apostolic see had by this time colored popular thought on the subject. Toward the close of the twelfth century an attempt was made to remove the Welsh dioceses from the jurisdiction of the archbishop of Canterbury and make them subject immediately to the pope. If the pope would grant this favor, the Welsh were prepared to give to the Roman church the penny of St Peter from each house, as it was given in England.² Still more striking as an example of the state of popular thought upon the subject is the bull *Laudabiliter*.³ Because it was in all probability the forgery of a student who was practicing the notarial art,⁴ it reflects popular clerical opinion. It purports to be a letter written by Adrian IV approving the projected conquest of Ireland by Henry II. According to its terms, Ireland and all islands belonged 'ad jus beati Petri et sacrosancte ecclesie Romane.' The

¹ *Materials*, v, 202. The archdeacon of Oxford, between 1151 and 1173, referred to it as 'pensione Sancti Petri': *Eynsham Cart.*, I, 67. Chroniclers of the period commonly called it census: above, p. 43.

² Giraldus Cambrensis, *Opera*, III, 55, 78, 175.

³ Copies of it are given by *idem*, *Opera*, v, 317; VIII, 196.

⁴ Below, pp. 133, 134.

Irish were therefore authorized to receive Henry II as their lord, 'salva etiam beato Petro, et sacrosancte Romane ecclesie, de singulis domibus annua unius denarii pensione.' The writer of the bull manifestly thought of Peter's pence as a sign that Henry would hold the lordship of Ireland from the apostolic see. This point of view of the nature of Peter's pence was finally accepted officially by King John in 1213. When he promised to hold England and Ireland as a vassal of the Roman church, he bound himself to the service of an annual render of one thousand marks, 'saving in all respects Peter's pence.'¹ By this exception John acknowledged by implication the Gregorian claim that Peter's pence was census and a sign of the dependence of England upon the apostolic see. The older English view that Peter's pence was royal alms could hardly stand in the face of that acknowledgment.

The royal acquiescence in the papal theory served to increase the extent of the papal control of the administration of Peter's pence. It may well be that John's submission to the insertion of the clause saving Peter's pence and the subsequent appointment of papal envoys armed with power to enforce payment by ecclesiastical censures were related in some measure as cause and effect. Subsequently the pope could deal directly with the principal local collectors without the intervention of the king. Papal control of the administration was, on the other hand, far from complete. Papal authority over the collectors who were subordinate to the bishop and over the taxpayers was indirect and slight. It was only the collection of the papal share fixed by custom which the papacy could control. The failure of Innocent III to break down the barrier raised by king and clergy against his claim of a right to the whole yield of Peter's pence demonstrated that with regard to that fundamental aspect of the tax the iron bond of custom was stronger than the legal theory of the papacy.

After the pontificate of Innocent III, a general papal collector who had as one of his functions the collection from the bishops or archdeacons of the customary sums owed to the papacy annually from the dioceses for Peter's pence was commonly resident in England.² For a long time the popes appear to have accepted the traditional annual amount of Peter's pence without question. The bull which Gregory X issued in 1273, setting forth the sums due for Peter's pence from the several dioceses as they appeared in the *Liber Censuum*,³ proved to be a fortunate precedent for the English clergy,⁴ for Martin IV initiated what was destined to be a

¹ Rymer, *Foedera*, I, 112.

² Below, app. pp. 611-24.

³ 22 April: *Reg. of G. Giffard*, II, 57; *Reg. of le Romeyn*, II, 177; above, p. 59.

⁴ It soon came to be known as the bull of Gregory V, and many copies of it were preserved by English ecclesiastics: above, p. 14; Queens College, Oxford, MS. 54, p. 41; Muniments of Dean and

prolonged attempt to increase the revenue received from Peter's pence by the papal camera. On 7 March 1282 he directed Geoffrey of Vezzano, his collector in England, to ascertain whether English prelates collected more of Peter's pence than they rendered to the papal nuncio, and, if they did, whether they did it by the decree of nuncios or by custom, and how long it had been the practice. The information which he obtained he was to forward to the pope along with his suggestion of a reform which could be made without scandal.¹ Geoffrey's inquiries roused enough apprehension to cause the royal government to seek a copy of the bull of Gregory X, and they also became the basis for a renewed papal attempt to secure from the English prelates the full amount of Peter's pence which they received.²

The attempt may have been begun by Martin IV or by Honorius IV. In 1286 the clergy paid an aid to provide for the expenses of their business against Geoffrey of Vezzano.³ Unfortunately the annalist who provided the information did not specify the nature of the business, but it may well have been to protest an innovation in the collection of Peter's pence. Be that as it may, Nicholas IV ordered Geoffrey to exact the full yield of Peter's pence, and Boniface VIII renewed the command.⁴ The collector met with no success,⁵ but his efforts disturbed the English clergy sufficiently to cause those of the province of Canterbury to include in a petition for the remedy of grievances, which they forwarded to the pope in 1297, a request that he would cease to try to exact more than the accustomed amount of Peter's pence and be content with the sums specified in the bull of Gregory V or VI.⁶ The answer was not favorable, since Benedict XI pursued the same policy. He ordered the local collectors of Peter's pence to deliver the whole of their receipts to Gerard of Pecorara, and instructed the collector to collect from the taxpayers if he could not induce the local collectors to obey the papal mandate.⁷ Gerard's career as collector was brought to such a sudden termination that he received nothing from Peter's pence whatever.⁸

Chapter of Canterbury, XYZ Study, MS. C xiv, fol. 1; D viii, fol. 73; British Museum, Arundel MS. 220, fol. 6; Cotton MS. Julius B iii, fol. 51; Claudius E viii, fol. 10; Stowe MS. 938, fol. 1; Corpus Christi College, Cambridge, MS. 101, p. 323; 120, p. 197; Lambeth Palace Library, MS. 594, p. 50; Worcester Diocesan Registry, Reg. of Orlton, II, inside of cover; Winchester Diocesan Registry, Reg. of Beaufort, pt. 1, fol. 1; *Reg. of Gandavo*, p. 542; Webb, *Roll of Household Expenses*, p. 218.

¹ *Cal. Pap. Regs. Letters*, I, 475; Jensen, 'Denarius Sancti Petri,' *T.R.H.S.*, new ser., xix, 259.

² Lunt, 'William Testa,' *E.H.R.*, xli, 340-42.

³ *Ann. Cambriae*, p. 109.

⁴ Lunt, 'William Testa,' *E.H.R.*, xli, 341.

⁵ *Reg. de Benoît*, xi, 1216.

⁶ Lunt, 'William Testa,' *E.H.R.*, xli, 341, 342; Graham, *Ecclesiastical Studies*, pp. 302-16.

⁷ *Reg. de Benoît*, xi, 1216.

⁸ Lunt, 'Account,' *E.H.R.*, xxviii, 319.

Clement V was not only prompt to take up the claim of his predecessors but he advanced it in an extreme form. On 23 March 1306 he commissioned William Testa to collect all which the local prelates had received for Peter's pence since Nicholas IV had issued his original mandate as well as all which they should receive in the future. He was empowered to compel opponents by ecclesiastical censures, and, should it be necessary, to invoke the aid of the secular arm.¹ This mandate was brought generally to the attention of the English clergy by the inquiries which the collector caused to be instituted in each rural deanery.² The action roused their fears, and became a subject of discussion at the parliament of Carlisle in 1307. It was one of the grievances included in a petition of the community which caused Testa to be tried before the parliament, and it was one of the charges against him. The trial was ended by a judicial award which had the force of a statute. It forbade the collector to proceed in any of the practices specified in the charge. It left him free to collect Peter's pence according to the practice followed by his predecessors, but restrained him from making the innovation which the pope sought. Both Edward I and Edward II enforced this award as far as it related to Peter's pence.³

Though Clement V complained frequently concerning the prohibitions placed upon his collector by the parliament of Carlisle, he did nothing specifically with regard to that relating to Peter's pence until 8 March 1313, when he had occasion to commission William de Balaeto to succeed William Testa as collector. To the new nuncio he gave virtually the same instructions that he had given to Testa seven years before. William de Balaeto, on 3 February 1314, ordered the bishops to deliver to him before 31 March, in accordance with the terms of his commission, the Peter's pence collected by them in their respective dioceses which had not yet been paid to a papal collector.⁴ Since delivery was to be made according to the papal commission, William's demand was for the whole surplus of Peter's pence received by the bishops since the time of Nicholas IV as well as for the current sum.⁵ His demand was enforced with threats of excommunication and interdict for failure to pay on time, to be followed by suspension from divine service for contumacy lasting a month after the prescribed date. How the bishop of Salisbury intended to meet the demand may be indicated by the entry in his register of the bull of

¹ *Reg. of Gandavo*, pp. 204, 205; Lunt, 'William Testa,' *E.H.R.*, xli, 340.

² *Reg. of Gandavo*, pp. 208, 209; Muniments of Dean and Chapter of Worcester, *Liber Albus*, fol. 26v.

³ Lunt, 'William Testa,' *E.H.R.*, xli, 338-45.

⁴ *Reg. of Gandavo*, pp. 539-42.

⁵ Baethgen misses the significance of the commission: 'Quellen,' *Q.u.F.*, xx, 165.

Gregory X directly after the copy of the collector's mandate.¹ Before the issue between the old custom and the new demand could be fought out again, the death of Clement V invalidated the powers of his collector.

John XXII was hardly seated in the chair of St Peter before he renewed the orders of Clement V to William de Balaeto with regard to Peter's pence,² and he followed his mandate with a vigorous effort to secure its execution. He began by writing to the archbishop of Canterbury.³ Many English prelates, he said, collect Peter's pence belonging to the Roman church on their own authority without any commission from the apostolic see and keep all or part of the receipts for themselves. Desiring to put an end to this situation, he ordered the archbishop to inquire secretly what members of the clergy were guilty of such actions and to ascertain how much each of them kept for himself and how much he delivered. He also directed the archbishop to persuade those who held no commissions as collectors from the apostolic see or its nuncio to desist from the collection of the pennies and to offer no hindrance to the collection of the money directly from the payers by the nuncio and his agents. If any prelate pretended to perform such acts by privilege or right, he was to cause evidence of it to be displayed before the pope. In a second letter the new pope ordered the archbishop to forbid the intervention by prelates or others of his province in the collection of Peter's pence, which had been committed to William de Balaeto.⁴ Thus John XXII went a step beyond his immediate predecessors by seeking to eliminate entirely the established system of local collection.

The archbishop took over a year to make his investigation.⁵ On 23 December 1317 he reported that Peter's pence was collected by rectors and vicars and paid by them to the rural deans, who delivered to the archdeacons. The last commonly answered to the bishops, but a few were responsible directly to the papal collector. He listed the sums customarily rendered to the papal nuncio and quoted the bull of Gregory X, but, except for his own diocese, he gave no information concerning the amounts which the local collectors kept for themselves, because he had been able to obtain none. Though he summoned the local collectors of other dioceses, the few who obeyed refused to answer his questions, because they were not subject to him immediately. He also failed to discover how much lay lords who collected the pennies on their lands retained beyond what they delivered. He further informed the pope that

¹ *Reg. of Gandavo*, pp. 542, 543.

² 25 September 1316: Papal Bulls, 56/4.

³ 18 November 1316: *Cal. Pap. Regs. Letters*, II, 443; Lunt, *Papal Revenues*, II, 66; Lambeth Palace Library, Reg. of Reynolds, fol. 213v.

⁴ 1 April 1317: *Cal. Pap. Regs. Letters*, II, 433.

⁵ He probably delayed it, since a memorandum that he ought to answer the papal letter was placed in his register: fol. 90v.

he had asked the bishops not to collect Peter's pence without commissions from the pope or his nuncios, but he gave no intimation of what their replies had been.¹

Meanwhile English opposition was beginning to take shape. On 24 April 1317, the king asked the prior and chapter of Christchurch, Canterbury, to send to him any bulls and memoranda touching the exaction of Peter's pence which they might have in their archives. Though they found no pertinent evidence,² other inquiries may have been more successful. During the controversy — though possibly not at this time — the government also had the chronicles searched, whence was extracted the useful information that Peter's pence was granted in former times not as a sign of subjection but as alms for the repair of Roman churches and for the maintenance of paupers. The historical evidence pointed to the obvious conclusion that the English were not bound to pay Peter's pence.³ It was the clergy, however, who voiced the first protest. Rigaud d'Assier, who took the place of William de Balaeto as collector in 1317, put the papal demand before a provincial synod held in London during February 1318.⁴ The clergy replied that they could not answer without consulting laymen;⁵ an answer which John XXII informed them was both astonishing and unsatisfactory. A few days later the king ordered Rigaud and the English prelates, under heavy penalty, not to collect Peter's pence in any other manner than had previously been customary until parliament should have ordained what could be done therein without prejudice to crown and people.⁶ To this action John XXII replied with a demand that the king should cease to put difficulties in the way of the collection of Peter's pence by Rigaud,⁷ but eventually he gave way and instructed

¹ Lunt, *Papal Revenues*, II, 67, 68.

² Wilkins, *Concilia*, II, 466, 467; Cambridge University Library, MS. E. v. 31, fols. 177^v, 178.

³ The memorandum appears inside the cover of the second volume of Orlton's register in the Worcester Diocesan Registry. The register was compiled between 1327 and 1334, but the memorandum is not dated.

⁴ The date is doubtful. The question and answer appear to be recorded in Bodleian Library, MS. Kent Charter, a. 2, no. 84, but the manuscript is so torn as to render much of it illegible. In an undated papal letter the question was said to have been put by Rigaud in a convocation at London: Jensen, 'Denarius Sancti Petri,' *T.R.H.S.*, new ser., XIX, 271, 272. Rigaud was commissioned on 1 May 1317, but his royal safe-conduct was dated 24 September 1317: *C.P.R. 1317-21*, p. 26. The next convocation at London after that date appears to have been summoned for 23 February 1318. Another probably was held in February 1319: Wake, *State of the Church*, pp. 270, 271; Weske, *Convocation*, p. 241.

⁵ The king ordered the clergy in this convocation not to decree anything prejudicial to his crown or dignity or to the state of his realm. Such questions were to be reserved for the parliament summoned to meet at Lincoln: Rymer, *Foedera*, II, 356.

⁶ 1 March 1318: Rymer, *Foedera*, II, 357; *C.C.R. 1313-18*, p. 599; *C.P.R. 1317-21*, p. 112.

⁷ Letters of 19 or 21 April and 7 July 1318: *Cal. Pap. Regs. Letters*, II, 421, 422, 433; Raynaldus, *Ann.*, 1318, § 28.

the collector to assemble Peter's pence in the desired traditional manner.¹

This concession did not end the struggle. John XXII was tenacious of claims which would yield him fiscal advantages. On 29 July 1323, when he appointed Hugh of Angoulême collector, he once more gave instructions that Peter's pence should be collected in full.² On this occasion, however, he does not appear to have followed his mandate with further action. The collector certainly contented himself with the sums which the precedent of more than a hundred and fifty years had rendered customary.³ Though John XXII made a more determined effort, he was no more successful than his predecessors had been in increasing the amount of the papal receipts from Peter's pence.⁴

The activities of the papal collectors of Peter's pence during the reign of Henry III have left scant traces upon surviving records. An occasional notice which displays them receiving the traditional sums from bishops or archdeacons is all that is vouchsafed us.⁵ After 1272 the methods which they employed to levy the due are more abundantly illustrated. When a collector first arrived in England, he sent to the bishop a citation which contained a copy of his commission and ordered the bishop to deliver in London at the collector's residence, before a specified date, the Peter's pence owed for the period since his last render. The demand was usually supported with the threat of canonical censures which were sometimes stated in general terms and sometimes enumerated in detail,⁶ though occasionally it took the form of a mere request.⁷ Personal interdict and suspension were the penalties most frequently threatened. After his first summons, the collector sent an annual citation couched in similar terms except for the quotation of his commission. It was usually dispatched after Michaelmas, which was the date when the Peter's pence

¹ 7 July 1319 (?): *Cal. Pap. Regs. Letters*, II, 426. Rigaud's report shows that he received only the customary sums: Lunt, *Papal Revenues*, II, 68-70.

² *Cal. Pap. Regs. Letters*, II, 451, 452; Jensen, 'Denarius Sancti Petri,' *T.R.H.S.*, new ser., XIX, 273; Baumgarten, *Untersuchungen*, p. 168.

³ *Reg. of Drogheda*, pp. 228, 246, 257, 283. The original entries supply more satisfactory evidence: fols. 215, 239^v, 248, 277. See also *Reg. of Grandisson*, I, 360; Salisbury Diocesan Registry, *Reg. of Mortivall*, II, fols. 151, 155^v, 177.

⁴ Hugh's successor, during the remainder of John's pontificate, continued to demand the full amounts, but he received only the customary amounts: *Reg. of Drogheda*, p. 297; Jensen, 'Denarius Sancti Petri,' *T.R.H.S.*, new ser., xv, 204, 205; *Reg. of Grandisson*, I, 481, 556; II, 614, 723; *Reg. of Shrewsbury*, II, 27; *Reg. of Charlton*, p. 43; Salisbury Diocesan Registry, *Reg. of Mortivall*, II, fols. 259, 275^v; *Collectorie* 227, fols. 105-111.

⁵ *Reg. of W. Giffard*, pp. 111, 134, 135; Cotton MS. Tiberius B II, fol. 252^v; Muniments of Dean and Chapter of Ely, no. 139. For the last reference I am indebted to Professor A. H. Sweet.

⁶ Worcester Diocesan Registry, *Reg. of Giffard*, fol. 37^v; *Reg. of Gandavo*, pp. 200-8; 539-42; Salisbury Diocesan Registry, *Reg. of Mortivall*, II, fols. 55^v, 75^v; *Reg. of Orleton*, p. 40.

⁷ Worcester Diocesan Registry, *Reg. of Giffard*, fol. 131.

owed to the bishop fell due, and it commonly set the date for the bishop's render during the next winter or early spring.¹ If the bishop delayed without excuse, the collector usually favored him with a second citation more peremptory in form.² The language of the citations was often sufficiently dictatorial to irk the bishops, who naturally resented the use of such a tone by their inferiors in the ecclesiastical hierarchy. Bishop Giffard of Worcester once allowed his resentment of the language to find expression in his reply to the collector, but he took care nevertheless to indicate his intention to obey the mandate.³ Though the words might be the collector's, the demand was the pope's. The claim of the bishop of Exeter, that the collector could not enforce payment of Peter's pence by compulsory process because no law stated that Peter's pence must be received or paid at any definite date,⁴ represented an exceptional attitude. Occasionally a bishop asked for a delay, because he needed time to collect the money from those who owed it to him, or because dispensations of providence had brought such poverty upon the people of a locality that it was difficult to collect the pennies from the debtors.⁵ When a bishop died owing money for Peter's pence, the debt was exacted from his executors, provided he had received the money from those who owed it to him;⁶ if he had not received it, his successor became responsible for its collection and transmission to the papal collector.⁷

The levy of the established sums owed to the papacy for Peter's pence gave to the papal collectors little difficulty. They do not appear to have enforced their threats of ecclesiastical censures very strictly, since bishops often delivered at one time the amounts due for two or three years. The arrears, however, rarely accumulated for a longer period unless there had been a long vacancy in the collector's office.⁸ Such a vacancy explains why Raymond de Nogaret remitted to the papal camera £773 14s. 4d.

¹ *Ibid.*, fols. 70, 70^v; *Reg. of Drokenesford*, pp. 257, 283; Salisbury Diocesan Registry, *Reg. of Mortivall*, II, fols. 56^v, 84, 151, 155^v, 177; *Reg. of Grandisson*, I, 343.

² *Reg. of Wickwane*, p. 239; *Reg. of Drokenesford*, pp. 129, 246; *Reg. of Orleton*, pp. 298, 302.

³ Worcester Diocesan Registry, *Reg. of Giffard*, fols. 70, 70^v.

⁴ 16 June 1337: *Reg. of Grandisson*, I, 298, 299.

⁵ *Reg. of Gandavo*, pp. 208, 209; *Reg. of Orleton*, pp. 298, 302; *Reg. of Grandisson*, I, 204, 220, 343; Worcester Diocesan Registry, *Reg. of Giffard*, fol. 39.

⁶ Hale and Ellacombe, *Accounts of Executors*, p. 26; *Reg. of Gandavo*, pp. 340, 341; Winchester Diocesan Registry, *Reg. of Woodlock*, fol. 2; *Worcester Sede Vacante Reg.*, p. 266; York Diocesan Registry, *Reg. of Greenfield*, I, fol. 289. For the last reference I am indebted to Miss Ann Deeley.

⁷ Salisbury Diocesan Registry, *Reg. of Mortivall*, II, fols. 56^v, 57.

⁸ Webb, *Roll of Household Expenses*, p. 165; Hale and Ellacombe, *Accounts of Executors*, p. 26; *Reg. of Drokenesford*, p. 283; *Reg. of Stapeldon*, p. 313; *Reg. of W. Giffard*, pp. 111, 134, 135; *Reg. of Grandisson*, I, 360; Lunt, *Papal Revenues*, II, 76; Winchester Diocesan Registry, *Reg. of Woodlock*, fols. 2, 2^v; Worcester Diocesan Registry, *Reg. of Giffard*, fol. 39; Salisbury Diocesan Registry, *Reg. of Mortivall*, II, fols. 56^v, 57, 155^v.

for Peter's pence when he had been in office only two years.¹ Though the reports of Geoffrey of Vezzano are lacking and the records of his transmission of Peter's pence to the papal camera are fragmentary,² his acquittances and other records of payments received by him indicate that the bishops were rarely far behind with their deliveries to him during his long tenure of office from 1276 to 1300.³ The reports of William Testa and Rigaud d'Assier also display Peter's pence being rendered to them with reasonable regularity.⁴ After the institution of permanent general collectors in England, the papacy could count upon the receipt of £199 6s. 8d., which constituted its annual share of Peter's pence, without undue delay and with certainty.

3. LOCAL ADMINISTRATION AFTER 1066

After the Norman conquest the bishops remained the principal local collectors of Peter's pence, but their relations to the pope gradually underwent the decisive changes which have been related. Their relations to the king were altered no less extensively. Under the Norman kings they appear to have become more independent of the royal authority in the work of collection, though they were still supported by the royal courts. They could compel payment from the taxpayers by ecclesiastical censure and by the imposition of a fine of thirty pence on the payer proved delinquent in the ecclesiastical court.⁵ If this jurisdiction failed, or possibly as an alternative to it, the bishop could bring tardy payers before the king's justices. The royal court would exact the fine of thirty pence for the bishop and the *oferhyrnes* for the king.⁶ In 1180 the royal courts were still open to the bishops for the enforcement of the payment of Peter's pence,⁷ but it may be doubted if they utilized the opportunity. Peter's pence was coming to be regarded as solely an ecclesiastical tax.

This point of view is well illustrated by the arguments presented in a

¹ *Cal. Pap. Regs. Letters*, I, 447; Jensen, 'Denarius Sancti Petri,' *T.R.H.S.*, new ser., XIX, 254, 255.

² Jensen, *loc. cit.*, XIX, 263; Theiner, *Codex*, I, 361; Baumgarten, *Untersuchungen*, p. 140.

³ *Reg. of Wickwane*, p. 239; *Reg. of Gandavo*, pp. 340, 341; Webb, *Roll of Household Expenses*, p. 165; Winchester Diocesan Registry, *Reg. of Woodlock*, fols. 2, 2^v.

⁴ Lunt, 'William Testa,' *E.H.R.*, XLII, 345, 353-55; *idem*, *Papal Revenues*, II, 68-70; Baumgarten, *Untersuchungen*, p. 167; below, p. 683; *Oblig.* 4, fol. 6^v.

⁵ Laws of William: Liebermann, *Gesetze*, I, 504, 505. A French version says that he who detains the penny will render it 'by the justice of the holy church,' and the Latin version that he will be forced to pay it by ecclesiastical censure. See also Makower, *Constitutional History*, p. 440. This may have been Anglo-Saxon custom, but it seems more likely to have been new. The custom does not appear in any Anglo-Saxon code or in any other Norman compilation: above, p. 23. It seems to be in harmony with the change in episcopal jurisdiction authorized by William I.

⁶ The royal jurisdiction is mentioned in the Laws of William and the Laws of Edward the Confessor: Liebermann, *Gesetze*, I, 504, 505, 634.

⁷ Roger de Hoveden, *Chron.*, II, 215, n. 1, 222.

case concerning the exemption of the abbot and convent of Evesham from the jurisdiction of the bishop of Worcester, which was tried before the pope. The case began in 1202, when the bishop of Worcester attempted to visit the abbot and convent and they refused to admit him on the ground that they were subject immediately to the papacy. It came before Innocent III on appeal, and he presided over the court which heard the pleadings during the last days of 1205 and the early days of 1206. Since the issue involved the two distinct questions of the exemption from episcopal control of the abbey and of the parochial churches of the Vale of Evesham, there were two separate trials. The monastery was declared exempt on the basis of papal privileges which it produced, but whether they extended to the churches of the Vale was regarded as so doubtful that the decision of this case came to depend upon the prescriptive use by the abbot and convent of episcopal powers in the Vale for a sufficiently long period. It was in this connection that the right to collect Peter's pence became important as evidence.¹

The representative of Evesham, Thomas de Marleberge, in his plea before the pope, maintained that the churches of the Vale constituted a peculiar in which the dean of Evesham, who was elected by the abbot with the consent of the convent, exercised episcopal functions. The bishop's proctor argued that the bishop had exercised episcopal functions in the Vale, and among them he enumerated the receipt of Peter's pence from the churches of the locality. Innocent III finally delegated English judges to terminate the suit. In his instructions he suggested that proof of the payment of Peter's pence to the bishop within forty years would be indicative of an interruption of the prescriptive use by the abbot and convent of episcopal powers.² Collection of Peter's pence was manifestly regarded as an episcopal function. If others received Peter's pence and were answerable to the bishop for the proceeds, they were subordinate to the bishop.

This argument was one which the abbot's proctor could not answer satisfactorily. He saw, as he acknowledged privately, that its refutation necessitated establishment of the fact that the abbot and convent answered directly to the pope for the Peter's pence which they collected. Since they had paid it to the bishop, he sought to excuse the action. The bishop of Worcester, he explained, was held to pay annually to the pope £11 5s.,³ and the abbot and convent £1. The abbot and convent had

¹ *Chron. de Evesham*, pp. 102-93.

² *Chron. de Evesham*, pp. 187, 188, 192.

³ In the *Liber Censuum* the amount was £10 5s. and it was still the same in Gregory's letter of 1273. Nevertheless, the royal keepers of the bishopric paid £11 5s. to the archbishop for Peter's pence in 1185: *Pipe Roll Soc., Pubs.*, xxiv, 126.

paid their pound to the bishop, because their dean, who performed the work of collection, was a secular clerk and was consequently in fear of the bishop. The payment, therefore, ought not to be counted an interruption of their prescription. In pleading this excuse before the pope he pointed out that the bishop had received the pound from their churches but had never paid more than £11 5s. a year to the pope, thus keeping the pound for himself and defrauding the pope. Innocent III, he said, was strongly moved against the bishop when he heard this argument,¹ but it did not strengthen the legal position of the monastic community.²

Thomas, indeed, recognized still another peril arising from the payment to the bishop. 'If payment ought to be made to him,' Thomas said, 'the power of compelling payment would belong to him.' If the bishop could excommunicate the parishioners of these churches, they were not fully exempt from the bishop. It was thus the view of Evesham's proctor, whose conduct of the case before the papal court indicates that he was familiar with the ecclesiastical law and practice concerning the issues involved, that Peter's pence was a purely ecclesiastical tax. Because the bishop received the payment, he had, apparently by the common law of the church, the power to compel its render from local collectors and taxpayers by ecclesiastical censures and processes. The legal conception that Peter's pence was royal alms and ultimately justiciable in the royal courts seems to have had no place in Thomas' thought. His point of view was probably typical of the opinion concerning the nature

¹ *Chron. de Evesham*, p. 194. It seems well within the realm of possibility that this information caused him to make the demand for payment of Peter's pence in full, which he sent by Peter des Roches: above, p. 56. His letter is dated 31 December 1205, when the plea about the exemption of the monastery was still before him. The plea about the Vale had not yet been heard by him, but he had before him the findings of English judges delegate who had examined witnesses: *Chron. de Evesham*, pp. 130, 131.

² The argument had an interesting sequel. Before the pleas had been finished before the delegated judges, the bishop of Worcester went into exile on account of the interdict. His successor did not resume the prosecution of the case, and the abbot and convent were left in possession of jurisdiction over the churches of the Vale. When the abbot and Thomas de Marleberghe attended the council of the Lateran in 1215, they obtained a papal confirmation of the right of the abbot and convent to collect Peter's pence in the Vale. In one of two contemporary copies of the constitutions which the pope confirmed, the dean who collected Peter's pence is said to pay from his receipts £1 annually to the pope, but in the other payment to the pope is not mentioned: *Chron. de Evesham*, pp. 123-31, 205, 210, 223, 225, 266. A document which purports to be a letter addressed to Evesham by Gregory IX, fifteen years later, grants the right to continue to collect Peter's pence and orders payment of it to the papal camera once every five years: Hunter, *Ecclesiastical Documents*, 71, 72. The bull is probably a forgery produced to uphold the logic of Thomas de Marleberghe. It states that abbots of other exempt English monasteries transmitted Peter's pence to the Roman church. Gregory X did not list Evesham or any other exempt monastery as paying Peter's pence in his bull of 1273, and in the later accounts of papal collectors no trace of such payments appears.

of Peter's pence which was generally current among the English clergy by the opening years of the thirteenth century.

Possibly contemporary royal justices would not have accepted the reasoning of Thomas, but it prevailed in the royal as well as the ecclesiastical courts before the period under survey closed. In 1328 the archdeacon of Bath brought suit in the episcopal court to recover from the rector of Marksbury the Peter's pence which he had collected when he had been rural dean of Redcliff and had failed to deliver to the archdeacon, despite his oath to do so. The rector obtained a royal writ of prohibition, but the king's justices restored the case to the episcopal court on the ground that Peter's pence was spiritualities.¹ Ten years later the archdeacon of Huntingdon sought the help of the bishop of Lincoln, and not that of a lay authority, to compel render of the payment from laymen.² Peter's pence was no longer regarded as royal alms outside the pages of the chroniclers.

Though the power of the bishops to enforce the payment of Peter's pence in the ecclesiastical forum became complete, Peter's pence was not regarded as a spirituality in all of its aspects. Lords of manors who possessed the right to collect Peter's pence from their tenants could compel its payment, like that of other manorial dues, in their manorial courts.³ In one instance, at least, a lord resorted to a royal court to enforce the payment from his tenants of customs and services among which was Peter's pence.⁴ Suits between lords for possession of the right to collect Peter's pence appear likewise to have been subject to lay jurisdiction.⁵ Peter's pence was treated as a temporality also in another aspect. When bishoprics were vacant, the episcopal income from Peter's pence in excess of the amount due the pope, was taken for the king by the royal keepers of the temporalities, possibly throughout the period and certainly until near the close of it.⁶ In 1325, however, the archbishop of Canterbury collected Peter's pence from the archdeacons of the diocese of Norwich in

¹ Wells Diocesan Registry, Reg. of Drokenesford, fols. 279, 279^v. Even a case brought before parliament on petition was transferred to the archbishop of York for adjudication: *Reg. of Greenfield*, I, 181.

² Lincoln Diocesan Registry, Reg. v (Burghersh), fols. 561^v, 562.

³ In 1402 the abbot of Bermondsey forced his tenants to pay Peter's pence after a lapse of 36 years by establishing the record of the custom in the rolls of the manor: Warner, *Catalogue of the Manuscripts at Dulwich*, pp. XLIX, L; Young, *History of Dulwich College*, II, 269-71.

⁴ *Bracton's Note Book*, III, 509, 510.

⁵ Arbitrators who decided rights to frankpledge and to estover decided the right to Peter's pence, but one of the arbitrators was a clerk: Wethered, *St. Mary's Hurley*, p. 109.

⁶ Above, p. 19; below, pp. 78, 79; Pipe Rolls 87, mms. 3, 3^v; 91, m. 14; 100, m. 19; 104, m. 2; 106, m. 21; 108, mms. 15, 15^v; 117, m. 7^v.

his capacity as keeper of the spiritualities of the vacant see. He issued acquittances to them in which he promised to hold them indemnified against the bishop of Norwich and all others, and he paid to the papal collector £21 10s. owed by the bishop to the pope for Peter's pence in that year.¹ The right of the archbishop to act as keeper of the spiritualities on this occasion was contested by the prior and chapter of Norwich and was settled by composition only after a long suit.² There is, however, no apparent reason why the exceptional character of the general situation should have affected the classification of Peter's pence. The revenue was included in spiritualities on this occasion, but was the occasion an exception or an example of a new general custom? I have found no adequate answer to the question. In 1313 the prior of Worcester, who, by a permanent agreement, acted as the archbishop's agent in the guardianship of the spiritualities of the episcopal see during its vacancy and shared with him the revenues,³ collected Peter's pence from the rural deans who owed it directly to the bishop.⁴ What became of the money is not clear. The prior should have received over £17 from the rural deans of the archdeaconry of Gloucester alone.⁵ If the income was classified as spiritual, two-thirds of this should have gone to the archbishop,⁶ but the receipts from all spiritualities noted in the register of the archbishop amounted to less than £9.⁷ Either the record in the register was incomplete, or Peter's pence had not been included in the spiritualities on this occasion. In 1317, however, when the see of York was vacant, Rigaud received Peter's pence from the chapter,⁸ whereas the royal keepers of the temporalities had always rendered the payments to the papal agents when the see was vacant during the reign of Henry II.⁹ Apparently Peter's pence was beginning to be regarded as a spirituality in this aspect by the fourteenth century.

William the Conqueror intervened actively to secure the collection of Peter's pence from the taxpayers. Between 1076 and 1083, and probably in 1080,¹⁰ he addressed a writ to the sheriff of Somerset ordering him to see that the 'Romfeoh' was paid at the next Michaelmas by the king's men and

¹ Lambeth Palace Library, Reg. of Reynolds, fols. 141v, 142, 148.

² Churchill, *Canterbury Administration*, I, 194-98.

³ *Ibid.*, I, 184-87.

⁴ *Worcester Sede Vac. Reg.*, pp. xv, xvi, 150.

⁵ *Worcester Sede Vac. Reg.*, pp. xv, xvi.

⁶ Churchill, *Canterbury Administration*, I, 184.

⁷ *Ibid.*, I, 187, n. 5.

⁸ Lunt, *Papal Revenues*, II, 70.

⁹ Pipe Rolls, 29 Henry II, m. 5v; 30 Henry II, m. 3v; 31 Henry II, m. 5v; 33 Henry II, m. 7v; 34 Henry II, m. 1v.

¹⁰ On the date see Davis, *Reg.*, no. 187.

by each thegn and his men. He was to give notice that those who had not paid should pay and to inquire by himself and through the bishop concerning the debtors. He was not, however, to require any pledge from those on the lands of the bishop of Wells before the bishop had been consulted.¹ Since the pennies were due from the payers on 1 August, the king apparently was seeking the arrears owed by the inhabitants of the estates possessed by the king and the other principal landlords of the county. This writ and others which may have been sent to other sheriffs were probably due to William's promise to dispatch to Gregory VII the portion of Peter's pence which had remained uncollected for three years.² The king manifestly felt free to assist in the collection of Peter's pence when he was personally interested for a particular reason, but such action was probably exceptional even in the Norman period. After the papacy began to keep its own agents resident in England to exact the sums owed by the bishops, the king had no reason to participate actively in the collection of the money. By the thirteenth century the king no longer took any part in the collection of the papal share of Peter's pence other than to see that it continued to be done in the traditional manner.

The bishops did not commonly collect Peter's pence from the taxpayers, but left that work to clerks of lower rank in the hierarchy. After the Norman conquest the two laymen who assisted the bishop in each wapentake appear to have been eliminated from the administration, and the local collection of the due appears to have passed entirely into the hands of ecclesiastics, except so far as the lords of manors still assembled the pennies of their tenants. Archdeacons, rural deans and the incumbents of parish churches had a share in the work during the Norman period,³ but their respective functions and their relationships to the bishop and to one another become clear only in sources dating from the late twelfth century onward.

The common form assumed by the administration in the later period followed the lines of the hierarchy. The archdeacon collected from the rural deans, the rural deans from the parish priests, and the parish priests from the taxpayers.⁴ The symmetry of this arrangement was broken, however, in many instances. In the fourteenth century the archdeacons of the dioceses of Canterbury, London, Rochester, Ely and Winchester paid the sums owed to the papacy directly to the papal collectors without the intervention of their bishops.⁵ In the dioceses of Worcester, Chiches-

¹ H.M.C., *Cal. of MSS. of Dean and Chapter of Wells*, I, 17; Davis, *Reg.*, no. 187.

² Davis, *Reg.*, no. 187.

³ *Reg. Prioratus Wigorniensis*, p. 98b; *Eynsham Cart.*, I, 67; H.M.C., *Cal. of MSS. of Dean and Chapter of Wells*, I, 30.

⁴ *Ann. de Waverleia*, p. 257; *Domesday of St. Paul's*, pp. 147, 148.

⁵ Lunt, *Papal Revenues*, II, 67-70.

ter and Lichfield the rural deans were responsible directly to the bishops,¹ in the diocese of Hereford the dean of the cathedral answered immediately to the bishop for the Peter's pence which he collected in part of the diocese,² and in Worcester a lay lord delivered to the bishop a portion of the pennies which he levied on his own estates.³ Archdeacons sometimes collected directly from the incumbents of parish churches without the assistance of the rural deans.⁴ Though rectors or vicars were commonly responsible for the exaction of the pennies from their parishioners, many lords of manors collected the due from their tenants.⁵

Over all of these local collectors, who were members of the clergy, the bishop possessed superior jurisdiction. He dealt ordinarily with the collectors in his diocese who rendered payments to him directly. He usually left to them the superintendence of the work done by the collectors lower in the hierarchy, but he might be called upon to support any of the subordinate collectors who experienced difficulties,⁶ he could enforce payment from the taxpayers or the local collectors,⁷ and he might intervene of his own initiative in other phases of the administration. Occasionally a bishop instituted an inquiry with regard to the amount of Peter's pence which was owed and paid in the parishes of his diocese and the manner of its collection, in order to correct any faults which might exist.⁸ In one instance a bishop ruled that, since Peter's pence must be received in current money, pollards should be accepted in payment of it.⁹ When a bishop instituted vicarages, he usually determined whether the rector or the vicar should collect and pay Peter's pence, and in cases of dispute between a rector and a vicar over possession of the right of collection he decided the issue.¹⁰ The archbishop of York even issued commissions to the col-

¹ *Worcester Sede Vacante Reg.*, p. 150; Chichester Diocesan Registry, Liber E, fol. 261; Liber Y, fol. 158v; Muniments of Dean and Chapter of Lichfield, Rolls M 4, mem. 5; M 9 verso. In Lichfield, however, the archdeacons were collecting Peter's pence in 1360: *First Reg. of Stretton*, p. 156.

² *Reg. of Swinfield*, p. 327; *Reg. of Orelton*, p. 40. Probably the situation there was the same as in Salisbury, where the dean exercised archidiaconal jurisdiction over the prebends in the diocese: H.M.C., *Cal. of MSS. of Dean and Chapter of Wells*, I, 30.

³ Fosbroke, *Abstracts from Smyth's Lives of the Berkeleys*, p. 53.

⁴ *Cart. de Rameseia*, II, 152, 153; *Eynsham Cart.*, I, 67; *Vetus Reg. Sarisberienae*, I, 241, 243.

⁵ E.g., *Domesday Book*, fol. 87b; Pipe Roll Soc., *Pubs.*, new ser., v, 165; vi, 31, 99; x, 35; Pipe Roll, 14 John, m. 1; 16 John, m. 6v; Hall, *Pipe Roll of the Bishop of Winchester*, pp. 16, 32, 72. In the borough of Newcastle-under-Lyme the receivers of the moneys of the borough apparently collected Peter's pence, since they paid for it annually the sum of 4s. 8d.: Pape, *Medieval Newcastle-under-Lyme*, p. 154.

⁶ Above, p. 71; Winchester Diocesan Registry, *Reg. of Edington*, pt. 2, fol. 21.

⁷ *Ibid.*; above, pp. 68, 70, 71.

⁸ *Reg. of Corbridge*, I, 99, 100; *Reg. of Cobham*, p. 4.

⁹ *Reg. of G. Giffard*, p. 516.

¹⁰ *Chertsey Cart.*, pt. 1, 92; *Reg. of Swinfield*, p. 218; Addit. MS. 37503, fols. 43v, 44; Pape, *Medieval Newcastle-under-Lyme*, pp. 35, 139.

lectors of Peter's pence in a deanery and an archdeaconry,¹ though the local collectors appear ordinarily to have acted by prescriptive right. To such an extent was the collection of Peter's pence under the general jurisdiction of the bishop that the impost customarily was not owed to him or to other local collectors of the diocese by ecclesiastics who were exempt from his jurisdiction.² The bishop's authority, however, was not sufficiently complete to enable him to deprive lower collectors of the right of collection, if they had enjoyed it for a long period.³ Furthermore, his power over lords of manors who acted as collectors was limited by the jurisdiction of manorial and royal courts,⁴ though it presumably was sufficient to enable him to compel them by canonical processes to pay what they owed.

The authority of the bishop over taxpayers and local collectors was restricted hardly at all by the jurisdiction of the resident papal collectors. The bishops were related to the papal collector rather as payers than as collectors of Peter's pence. Direct responsibility to the papacy for the administration of Peter's pence ceased with the bishops except in the few dioceses where the archdeacons made deliveries directly to the papal collectors. The lower collectors were immediately responsible to those next above them in the hierarchy of collectors and ultimately to the archdeacon and the bishop. Papal mandates supported with threats of the whole category of ecclesiastical censures had failed to make them responsible directly to the papal collector. At a later date the archdeacons professed to act by apostolic authority in ordering the imposition of penalties upon rectors and vicars who failed to deliver on time the pennies which they had received from the payers,⁵ but it may be doubted if archdeacons would have acknowledged that they acted on this authority in 1327, when the English clergy had been successfully contesting just this claim for many years. Alexander III, to be sure, rendered a decision which affected one aspect of the local administration of Peter's pence,⁶ but it appears to have been an isolated instance of effective direct intervention by the papacy with any phase of the local administration not concerned with the collection of the papal portion of the proceeds. The independence of local collectors from papal control extended so far that both bishops and

¹ *Reg. of Corbridge*, I, 206.

² *Reg. of Greenfield*, I, 181-84.

³ *Reg. of Shrewsbury*, p. 310. When archdeaconries were vacant, the bishop administered them and collected any Peter's pence which fell due during the period: Lincoln Diocesan Registry, Reg. v (Burghersh), fols. 352, 353, 506.

⁴ Above, p. 71.

⁵ The claim was made by the archdeacon of Canterbury, who delivered directly to the papal collector, but he stated that all archdeacons acted by that authority: Dansey, *Horae*, I, 424, n. 1.

⁶ Above, pp. 55, 56.

archdeacons felt free to alienate by grants in perpetuity portions of the Peter's pence which were collected by them.¹ Virtually the local administration of Peter's pence was English and not papal.

The papal collectors exerted a slight indirect influence on the local administration. If the collector issued a citation to a bishop to pay what he owed for Peter's pence, the bishop might forward copies of it to the archdeacons or other collectors responsible directly to him with orders to deliver what they owed.² Even this pressure on the local collectors was slight. The bishops might pay what they owed to the papal collector and recover from the archdeacons later.³ The dean of Hereford was at one time fifteen years in arrear to the bishop.⁴ The bishops evidently did not regard themselves as deputy collectors who were compelled to use against their assistants threats of ecclesiastical censures, as they were constrained to do when they acted as collectors of papal income taxes,⁵ though they might use censures on occasion.⁶ The relations of the bishops with the subordinate collectors of Peter's pence seem to have been kept on a personal basis which was much more informal and friendly than would have been possible had the bishops been bound to use the severe citations and censures which were inseparable from the office of a deputy papal collector.

The most active directors of the work of collection were the archdeacons. So prominent were they in this capacity that Peter's pence was commonly regarded as an archidiaconal due.⁷ They were subject to the orders of the bishop⁸ and in most dioceses they answered to him for his portion of the proceeds,⁹ but they enjoyed a large amount of discretion. Generally they collected Peter's pence through the agency of the rural deans,¹⁰ though they levied it from rectors and vicars in some instances.¹¹ The rural deans appear customarily to have made their deliveries at the Michaelmas sessions of the archidiaconal synods,¹² when payment was also

¹ *Reg. Prioratus Wigorniensis*, p. 98b; *Eynsham Cart.*, I, 1, 2, 47, 67; Harl. MS. 3650, fol. 40v.

² *Reg. of Orleton*, p. 40; *Reg. of Gandavo*, p. 337; *Reg. of Grandisson*, I, 343, 351.

³ Wells Diocesan Registry, Reg. of Drokensford, fol. 215. ⁴ *Reg. of Swinfield*, pp. 340, 470, 471.

⁵ Below, chs. v-vii.

⁶ *Reg. of Grandisson*, I, 351, 439.

⁷ Lincoln Diocesan Registry, Reg. v (Burghersh), fol. 353; *Reg. Honoris de Richmond*, app. p. 65; *Vetus Liber Archidiaconi Eliensis*, p. 185; Wells Diocesan Registry, Reg. of Drokensford, fol. 279v. It was also counted among the *episcopalia*: Pape, *Medieval Newcastle-under-Lyme*, p. 139.

⁸ H.M.C., *Cal. of MSS. of Dean and Chapter of Wells*, I, 30; *Reg. of Grandisson*, I, 351, 439.

⁹ Lambeth Palace Library, Reg. of Reynolds, fol. 141v; Lunt, *Papal Revenues*, II, 67.

¹⁰ Lunt, *Papal Revenues*, II, 67.

¹¹ Above, p. 74; *Reg. of Swinfield*, p. 218; Addit. MS. 37503, fols. 43v, 44; Lincoln Diocesan Registry, v (Burghersh), fols. 561v, 562.

¹² *Reg. Honoris de Richmond*, app. p. 63; Lunt, *Papal Revenues*, II, 81; Exch. K.R. Misc. Bk. 30, fols. 35, 148; Lambeth Palace Library, Reg. of Reynolds, fol. 141v. In the diocese of Exeter they appear to have been rendered at the Easter synods: *Reg. of Grandisson*, I, 298.

due from the archdeacons to the bishops.¹ The archdeacon possessed the power of canonical coercion for the purpose of compelling payment both from the lower collectors and the payers.² The rural deans were sometimes authorized to use compulsory processes against vicars and rectors who were tardy in their renders.³ Paucity of evidence leaves it doubtful whether this was the common practice before 1327, but it certainly was at a later date.⁴ If a rural dean failed to deliver to the archdeacon what he owed for Peter's pence and ecclesiastical censures proved insufficient to teach him the error of his ways, the archdeacon could sue for recovery in the bishop's court.⁵ In some archdeaconries the rural deans were entitled to keep the Peter's pence of their own parishes.⁶ In some parishes, on the other hand, and sometimes in whole deaneries, the deans collected no Peter's pence. Apparently none was paid in some,⁷ while in others the pennies went to another than the archdeacon.⁸

The methods by which rectors and vicars collected Peter's pence from their parishioners have left singularly little trace in the documents which have come under my observation. They collected directly from those who owed the pennies in some instances,⁹ but in others they must have dealt with the lords of manors who received the pennies from their tenants.¹⁰ Whether bishops or archdeacons delegated to parish priests their power to enforce the payment of the pennies from laymen by means of ecclesiastical censures I have not discovered. Rectors and vicars could make agreements between themselves and also with the lords of manors concerning the right to collect Peter's pence from a given parish or portions of it,¹¹ and if disputes arose over the right of collection in which rec-

¹ *Reg. of Grandisson*, I, 408, 409; *Worcester Sede Vacante Reg.*, p. 150.

² *Vetus Liber Eliensis*, I, 185; *Reg. of Grandisson*, I, 408, 409, 439; Lincoln Diocesan Registry, Reg. v (Burghersh), fols. 561^v, 562.

³ *Reg. of Corbridge*, I, 206.

⁴ Lunt, *Papal Revenues*, II, 81; *Reg. of Grandisson*, I, 408, 409, 439; Lincoln Diocesan Registry, v (Burghersh), fol. 562.

⁵ Above, p. 71; Wells Diocesan Registry, Reg. of Drokensford, fols. 279, 279^v; Baigent and Milard, *History of Basingstoke*, p. 20.

⁶ *Vetus Liber Eliensis*, p. 72; Chichester Diocesan Registry, Liber Y, fol. 158^v.

⁷ *Reg. Honoris de Richmond*, app. p. 63; Bodleian Library, MS. Willis 1, p. 554; Exch. K.R. Misc. Bk. 30, fols. 22^v, 33, 46, 116^v, 144^v-147^v; Norwich Diocesan Registry, Domesday Book of Norwich, *passim*.

⁸ In the parish of Sedgeford the rural dean of Heacham collected nothing, because it was on a manor of the prior and convent of Norwich and exempt from archidiaconal jurisdiction: Domesday Book of Norwich.

⁹ Neilson, *Customary Rents*, p. 199; *Domesday of St. Paul's*, pp. 147-51; Cotton MS. Claudius D XII, fol. 105; Exch. K.R. Misc. Bk. 22, fols. 130-32. The last is a copy of a document written in 1447 or 1448 which purports to state very ancient custom.

¹⁰ The evidence that lords collected the pennies is abundant, but I have failed to ascertain to whom they were generally responsible.

¹¹ Jeayes, *Descriptive Catalogue of Derbyshire Charters*, no. 48; Harl. MS. 4714, fols. 293, 293^v.

tors or vicars were the two parties, they were settled in the ecclesiastical forum.¹

Though the local collection of Peter's pence was a duty, it was generally esteemed as a right. This point of view is attested by the suits which arose over possession of the right, and further indication of the value in which the right was held may be readily adduced. In 1190, for example, the bishop of Salisbury exempted the churches of Figheldean and Alderbury, which belonged to the treasurer of Salisbury, from the jurisdiction of the archdeacon.² It was the custom of the diocese for the dean of the cathedral to exercise archidiaconal jurisdiction of all prebends,³ but the bishop made an exception of Peter's pence and decreed that the two churches must still answer to the archdeacon for that. Two years later, when the churches of Lyme Regis and Halstock were assigned to the cathedral chapter, the archdeacon of Dorset voluntarily resigned his jurisdiction over them, excepting his receipts from Peter's pence.⁴

This view that the collection of Peter's pence was a privilege was due to the remuneration which was attached to the office. Like so many other mediaeval collectors of revenues, the collectors of Peter's pence kept a part of their receipts for themselves. The custom was not universal. The bishop of Exeter received from his archdeacons no more than he delivered to the papal collector,⁵ and the parson of a church which was in the patronage of the chapter of St Paul's paid all the pennies which he collected from his parishioners.⁶ Yet the vast majority of the local collectors obtained a profit from the pennies which passed through their hands.

The bishop ordinarily received an annual sum considerably larger than that for which he was responsible to the pope. This situation existed at least as early as 1115⁷ and continued to the close of the period. The profits which accrued to the bishops from the collection of Peter's pence are illustrated in the accounts of some of the royal keepers of vacant bishoprics during the reign of Henry II. The surplus received in Hereford above the sum owed to the pope was in one year £7 19s. 4d.,⁸ and in Lichfield it was £11 4s. 7d.⁹ These were typical figures. The income of the archbishop of York from Peter's pence was exceptionally large. In a series of six years it varied annually from £96 1d. to £141 8s. 9d., running

¹ *Reg. of Swinfield*, pp. 217-19; *Chertsey Cart.*, pt. 1, 92.

² *Vetus. Reg. Sarisberiense*, I, 241.

³ H.M.C., *Cal. of MSS. of Dean and Chapter of Wells*, I, 30.

⁴ *Vetus. Reg. Sarisberiense*, I, 241, 243.

⁵ *Reg. of Grandisson*, I, 298.

⁶ *Domesday of St. Paul's*, p. 151.

⁷ Above, p. 39.

⁸ *Pipe Roll Soc., Pubs.*, XI, 77.

⁹ *Ibid.*, XXXIII, 25.

commonly to a little over £100. The sum due the pope was only £11 10s. a year.¹ The profits of the archdeacons were often as large as those received by some of the bishops. In the fourteenth century the archdeacon of Canterbury ordinarily collected more than £16 and paid to the papal collector £8.² The corresponding figures for the archdeacon of Ely in the same period were approximately £13³ and £5. The rural deans naturally accumulated smaller surpluses. Illustrations of exact amounts are not common, but a set of figures taken from the second half of the fourteenth century is undoubtedly typical of the earlier period. Eleven rural deans of the archdeaconry of Norwich collected £12 19s. 2¼d., of which they paid £10 12s. 4d. to the archdeacon. The latter delivered to the bishop £7. The smallest sum retained by a rural dean was 7d., the largest 17s. 1½d., the most common 1s. to 4s.³ The profits of the incumbents of parish churches varied extensively, though they were generally small in amount. Some incumbents retained all of the pennies which they received,⁵ but the most of them were entitled to keep only a part of what they collected.⁶ The extent of their profits is rarely stated in the documents, but it was probably only a few pence in most instances and rarely more than a few shillings.⁷ The lords of manors who collected Peter's pence from their tenants also kept part of the proceeds for themselves,⁸ and some monastic communities derived similar financial advantage from the parishioners of their appropriated churches.⁹

The rules which defined the payers of Peter's pence as they were stated in the Laws of William and the Laws of Edward the Confessor¹⁰ obtained

¹ *Ibid.*, xxxi, 62; xxxiii, 40; xxxiv, 78, 79; xxxvi, 101; xxxvii, 98; xxxviii, 10.

² Lunt, *Papal Revenues*, II, 68.

³ Compiled from Gonville and Caius College MS. 204, pp. 55-126.

⁴ Compiled from register of the archdeacon of Norwich: Exch. K.R. Misc. Bk. 30, fols. 29-148. The addition of the sums received by the rural deans given in the manuscript is £13 7d.

⁵ *Domesday of St. Paul's*, pp. 149-51; *Reg. of W. Giffard*, p. 325.

⁶ See the lists of the amounts of Peter's pence due from the incumbents of the parishes of several dioceses and archdeaconries cited below, pp. 83-84. See also *Reg. of W. Giffard*, p. 323.

⁷ Based in part on the amounts paid by the incumbents of parishes to their superiors as stated in the lists mentioned in the preceding note. See also Lunt, *Papal Revenues*, II, 77, 78. In 1181 the farmer of Norton paid 6d. and the incumbent of Chengford 10d. for Peter's pence. In 1289 the sum paid by the parishioners of the first was 7d. and of the second 2s. 6d. Hale, *Introd. to Domesday of St. Paul's*, p. cxvii.

⁸ Lunt, *Papal Revenues*, II, 68, 75, 77, 78; *Gesta Abbatum*, I, 5, 498-504; Hall, *Pipe Roll of the Bishop of Winchester*, pp. 16, 32, 72; Bodleian Library, MS. Rawlinson B 336, pp. 197-204; Muni-ments of Dean and Chapter of Canterbury, XYZ Study, MS. 25, fol. 2^v; Black Book of the Archdeacon of Canterbury, fol. 21; *Reg. of St. Augustine's*, I, 14, 27-44, 62, 95, 105-27, 223, 224; Cotton MS. Julius D II, fols. 134-36, 138; Royal MS. I B XI, fol. 147.

⁹ *Chron. de Evesham*, p. 210; *Eynsham Cart.*, I, 2, 47, 67; *Reg. of W. Giffard*, p. 325; Harl. MS. 3650, fol. 40^v.

¹⁰ Above, pp. 27, 28.

for a century and more after the Norman conquest,¹ but before the close of the twelfth century indications of variant customs began to appear. Fitzstephen, a contemporary biographer of Becket, asserted that Peter's pence was paid only by those bound to the soil. He was unquestionably mistaken, but, as Liebermann suggests, he may have generalized from the local custom on some of the manors of St Paul's,² where, in the thirteenth century, payment of the pennies was incumbent upon only the unfree tenants.³ Layamon likewise may have described a custom local to the west of England at the beginning of the thirteenth century, when he said that Ine granted to St Peter a penny from every house inhabited by a husbandman and his wedded wife,⁴ since other writers who relate the same tradition designate Ine's gift as a penny from each house.⁵ These bits of evidence point to the conclusion that the Laws of William and of Edward the Confessor no longer stated a universal truth with regard to the incidence of Peter's pence, if they ever had done so.

The probability of local variation in the custom is strong enough to render futile any attempt to estimate the population of England on the basis of the amount paid for Peter's pence. Even Fabre's assumption that there were about 48,000⁶ contributors when the sum received by the papacy became fixed at 299 marks⁷ cannot be accepted, because we have no knowledge that the apostolic see ever received all of the money collected for Peter's pence. It is tempting to assume that the sum paid to the pope was the full original yield of the levy, which later became a fixed sum, leaving the surplus that arose from the increase of population to be absorbed by the collectors. Such an hypothesis, however, has no evidential foundation. The first definite intimation that the papacy was receiving less than was collected occurs in Paschal's letters of 1115 and 1116.⁸ The situation may have existed earlier, but it is equally possible that the sum of 299 marks was established long after the collectors had begun to keep for themselves some of the money levied for Peter's pence. The fundamental difficulty with this and with all other estimates, however, is the tacit assumption that a penny was paid from every inhabited house. This tradition, which probably never had been true, was in ac-

¹ Roger de Hoveden, *Chron.*, II, 215, 222.

² 'Peter's Pence,' *E.H.R.*, XI, 746.

³ Hale, *Introd. to Domesday of St. Paul's*, pp. cxvii, cxviii.

⁴ *Brut*, III, 285.

⁵ *De primo Saxonum Adventu*, in Symeon of Durham, *Opera*, II, 371; Henry of Huntingdon, *Historia*, p. 124; Wace, *Brut*, II, 294, 295. The departure from Wace is the more significant, because Layamon usually followed him.

⁶ The number of pennies in 300 marks.

⁷ *Étude*, p. 144.

⁸ Above, pp. 39, 40.

cord neither with the laws of the early part of the twelfth century¹ nor with the evidence of local variations in the customs existing in the later part of the century. Fabre's estimate that in 1164 there were in England 288,000 houses containing a population of 2,880,000 is based on the statement of Fitzstephen that £1000 more could be obtained by imposing Peter's pence upon freemen as well as villeins.² Liebermann has demonstrated the worthlessness of this particular estimate by his criticism of the evidence and of Fabre's interpretation of it.³ Had Fitzstephen's statement been trustworthy and had Fabre interpreted it correctly, his estimate would still have been valueless, because the assumption that a penny was paid from each house may have been far from the truth by the second half of the twelfth century.

The more abundant sources of the thirteenth century render the extent of the variant local customs more fully apparent. Though all tenants might owe the penny on some manors,⁴ far more commonly only part of the tenants were liable.⁵ In a series of extents of the manors of Glastonbury made in 1260, the number of tenants who owed the due on several manors was 23 out of 53, 15 out of 66, 26 out of 34, 28 out of 33, and 18 out of 41. On several manors no Peter's pence was paid to the lord,⁶ though it may have been rendered to rectors or vicars. The customs governing the responsibility for payment of the tax were generally such as to leave some tenants exempt from it. The possession of cattle worth 30d. was still a common requirement,⁷ and on some manors the possession of chattels worth the same amount marked the dividing line between the taxed and the exempt.⁸ Those tenants of St Augustine, Canterbury, who held ancient messuages owed the penny,⁹ and in one parish in Sussex the penny appears to have been attached to certain tenements.¹⁰ One tradi-

¹ Above, pp. 27, 28.

² 'Eine Nachricht,' *Zeitschrift für Social- und Wirthschaftsgeschichte*, I, 149-53.

³ 'Peter's Pence,' *E.H.R.*, XI, 745-47.

⁴ Nielson, *Customary Rents*, p. 198.

⁵ E.g., Hale, *Introd. to Domesday of St. Paul's*, p. cxvii; *Rentalia et Custumaria Glastoniae*, pp. 118-24; *Reg. of St. Augustine's*, I, 105-27; Bodleian Library, MS. Rawlinson B 336, pp. 197-203.

⁶ Addit. MS. 17450, fols. 87-221.

⁷ *Cart. de Rameseia*, I, 331; Young, *History of Dulwich*, II, 283.

⁸ *Custumals of Battle Abbey*, p. 90. In Beverley, at a later date, the chattels had to be worth 60d.: *Chapter Act Book of Beverley*, II, 308.

⁹ *Reg. of St. Augustine's*, I, 60.

¹⁰ Cotton MS. Claudius D XII, fol. 105. The meaning of this passage is open to doubt, but in several years of the reign of Richard II the bailiff of the lord of Wiston paid Peter's pence for two tenements which were in the lord's hands on account of the pestilence. This information appears in the rolls of the manor of Wiston, which belonged in 1911 to Mr. Charles Goring of Wiston. I am indebted to the Reverend William Hudson for my inspection of them. On the rolls see Hudson, *On a Series of Rolls*, pp. 1, 2.

tion recorded in the fourteenth century declared that originally the penny had been due from each quarter of a hide, but that the subsequent increase of the population had decreased the size of the holding liable for the penny.¹ The tradition may have been based on current practice in some regions, for at a later date a penny was due from each virgate on at least one manor.² The rentals and surveys of the thirteenth century and early years of the fourteenth demonstrate, however, that commonly there was then no relationship between the penny and the size of the holding.³ Neither was there usually any distinction between bond and free.⁴ Even knights owed the penny.⁵ In several localities it was customary for a married man to pay a penny, and an unmarried man or a widow a half-penny.⁶ Some of the tenants of St Augustine, Canterbury, paid only a farthing each.⁷ On a manor of the abbot of Selby the villeins performed a specified amount of work in lieu of paying the penny.⁸ The penny still became due from the payers customarily on 1 August.⁹

These customs were for the most part of a nature which would cause the income from Peter's pence to fluctuate somewhat in accordance with the size and the economic status of the population. As the general principle was expressed in a cartulary: Romescot 'is not a fixed revenue, because it rises and falls.'¹⁰ The amount received by lords from their tenants¹¹ and by rectors and vicars from their parishioners varied from time to time.¹² The profit and loss involved appears to have been taken largely by these primary collectors. If the decree of Alexander III addressed to the archdeacons has been interpreted correctly,¹³ and if the custom legalized

¹ Worcester Diocesan Registry, Reg. of Orlton, II, inside of cover.

² Egerton MS. 3029, fol. 58^v.

³ E.g., *Reg. of St. Augustine's*, I, 105-23; Addit. MS. 17450, fols. 87-102; Bodleian Library, MS. Rawlinson B 336, pp. 197-204, 209.

⁴ *Bracton's Note Book*, III, 509; *Reg. Malmesburiense*, I, 245-50; Addit. MS. 36579, fols. 11, 19; *Chapter Act Book of Beverley*, II, 308.

⁵ Young, *History of Dulwich*, II, 283.

⁶ *Rentalia et Custumaria Glastoniae*, p. 81; *Custumals of Battle Abbey*, pp. 43-47; *Cart. de Rameseia*, I, 331; Hale, *Introd. to Domesday of St. Paul's*, p. cxvii; *Bracton's Note Book*, III, 510; Bodleian Library, MS. Rawlinson B 336, pp. 197-203; Cotton MS. Nero A XII, fol. 33.

⁷ *Reg. of St. Augustine's*, I, 105-27.

⁸ Addit. MS. 36579, fol. 11.

⁹ *Ibid.*, fol. 19; *Cart. de Rameseia*, I, 331; *Reg. of St. Augustine's*, I, 60; Bodleian Library, MS. Rawlinson B 336, p. 204.

¹⁰ Bodleian Library, MS. Rawlinson B 336, p. 204.

¹¹ Young, *History of Dulwich*, II, 283-85, 294, 295; *Eynsham Cart.*, II, p. lxxvii; *Reg. of St. Augustine's*, I, 44. Also compare the amounts listed in this register, *passim*, with earlier and later registers of the same house: Royal MS. I B XI, fol. 147; Cotton MS. Julius D II, fols. 134-36.

¹² Bodleian Library, MS. Rawlinson B 336, p. 204; Hale, *Introd. to Domesday of St. Paul's*, pp. cxvii, cxviii.

¹³ Above, pp. 55, 56.

therein was common to England, as the later incorporation of the ruling in the decretals of Gregory IX gives reason to assume that it was, the amounts which the incumbents of parochial churches paid to their superiors were fixed sums.¹ The careful lists kept by archdeacons and bishops of the amounts of Peter's pence due from each parish give rise to the same deduction.² Yet comparison of lists of different dates indicates that there was some variation in the amounts received by the higher collectors.

A list of Peter's pence due from the parishes of the archdeaconry of Leicester written in the fifteenth century³ displays with regard to the sums owed only negligible differences from a list probably of slightly later date,⁴ but they may have been derived from a common source. The amounts set forth in a register compiled at Christchurch, Canterbury, in the twelfth century,⁵ may be compared with those contained in the Black Book of the Archdeacon,⁶ which was written in the fourteenth century. In eight parishes they were the same, in eight they were more and in nineteen they were less in the fourteenth century. Though the first list may represent what the parishioners paid and the second what the archdeacon received, the parishes in which the archdeacon received more must represent changes in the amounts. In 1317 the archbishop stated that the archdeacon received £16 4s. or thereabouts,⁷ and in the archdeacon's register of the same century the total is given as £16 8s. 8¾d.⁸ Two lists belonging to archdeacons of Ely, one dating from late in the thirteenth century or early in the fourteenth,⁹ and one from early in the sixteenth, are, on the other hand, identical with regard to the sums except in eight parishes. Seven of the eight display larger sums received at the

¹ Miss Nielson concludes from the form of the statements about Peter's pence in some of the manorial records that the tax on some villages was a fixed sum: *Customary Rents*, pp. 198, 199. Cox and Round deduce from the survey of the churches of St Paul's in 1181 that the amount of Peter's pence in some parishes had been commuted from variable to fixed sums: *Vict. Hist. Co. Essex*, II, 5.

² Archdeaconry of Buckingham: Bodleian Library, MS. Willis I, pp. 553-55; Diocese of Canterbury: Black Book of the Archdeacon; Diocese of Chichester, Chichester Diocesan Registry, Liber E, fols. 241-46; Archdeaconry of Colchester, Queen's College, Oxford, MS. 54, fols. 9-11v; Archdeaconry of Norwich: Exch. K.R. Misc. Bk. 30; Diocese of Norwich: Norwich Diocesan Registry, Domesday Book of Norwich; Archdeaconry of Richmond, *Reg. Honoris de Richmond*, app. pp. 72-78. Others are mentioned below.

³ Cotton MS. Nero D x, fols. 150-55.

⁴ Addit. MS. 31117. This has been published by Nichols from a transcript of the seventeenth century, which is Harl. MS. 6700: *Leicestershire*, I, pt. 1, pp. lxiii-lxix.

⁵ Muniments of Dean and Chapter of Canterbury, XYZ Study, MS. 25, fol. 2v.

⁶ Fols. 20v-24v.

⁷ Black Book, fol. 21.

⁸ Lunt, *Papal Revenues*, II, 68.

⁹ Gonville and Gaius College, Cambridge, MS. 204, pp. 55-126. A transcript of this is Bodleian Library, MS. Rawlinson B 278, fols. 34-60. The MS. has been edited by Feltoe and Minns, *Vetus Liber Eliensis*.

later date.¹ The later manuscript, however, was in part copied from the earlier.² In two lists of the receipts of Peter's pence by the bishop of Lichfield from the rural deans in 1301 and 1309, the amounts of four of the legible items on the later list are the same and four are different,³ but the variations in this instance may indicate merely that in one year or the other four rural deans failed to render their payments in full. Records from the diocese of Worcester are more enlightening. In 1302 the amount of Peter's pence due the bishop from the rural deans was £34 2s. 7½d.,⁴ in 1380 it was only £30 9s. 1d.⁵ In only four of the deaneries was the sum owed to the bishop the same at both dates. Though much of this evidence is rather inconclusive, enough of it is sufficiently decisive to indicate that the sums received by the higher collectors in the local hierarchy fluctuated to some extent.

¹ Gonville and Gaius College, MS. 170, pp. 15-24.

² *Vetus Liber Eliensis*, p. xiii.

³ Muniments of Dean and Chapter of Lichfield, Rolls M 4, mem. 5; M 9, verso. The latter is so badly damaged that a large part of it is illegible.

⁴ *Worcester Sede Vacante Reg.*, pp. xv, xvi, 33, 34.

⁵ Worcester Diocesan Registry, Reg. of Wakefield, fol. 140v.

CHAPTER II

THE CENSUS OF EXEMPT AND PROTECTED MONASTERIES

1. EARLY DEVELOPMENT ON THE CONTINENT

THE census was an annual payment owed to the papacy by several of the protected or exempt English monasteries. It was one of the oldest revenues received from England by the papal camera, though it failed to attain the venerable antiquity of Peter's pence by several centuries. The due was established in England, moreover, only after it had behind it a long history in other parts of Europe. Continental monasteries had begun to pay census to the apostolic see by the close of the eighth century; English monasteries first became liable for its payment in the twelfth century. In order to explain the nature of the census it is necessary to consider certain aspects of its development before it was established in England. These have been so admirably portrayed by Paul Fabre that his principal conclusions are summarized as the best means of serving the present purpose.

At an early time monastic communities felt the need of safeguarding their temporal possessions from attack and depredation. They followed the practice common in the period and secured the commendation of their property to powerful individuals who could give them protection. Many, with the consent of their founders or patrons, secured royal protection and immunity, which defended them particularly against encroachments by the count and the bishop. Sometimes the founders transferred to the king the ownership of the monastery and its possessions. By this means the monastery obtained the most complete protection possible. Such arrangements were common under the Merovingian kings.¹

With the disintegration of the Carolingian empire and the consequent disorder, the royal protection became inadequate. Religious houses seeking a more powerful protector turned to St Peter and his representative at Rome.² The documents which were issued in connection with the foundation of the abbey of Vézelay in 863 provide the means of determining the principal factors in such a relationship.³ Count Gérard de

¹ Fabre, *Étude*, pp. 32-37.

² The earliest example discovered by Fabre comes from 790, but the practice was not common till the second half of the ninth century: *Étude*, pp. 37-40.

³ Analyzed by Fabre, *Étude*, pp. 40-49. The privilege is translated by Lunt, *Papal Revenues*, II, 26-29.

Roussillon, who founded and endowed the monastery, placed it permanently under the authority of the Roman pontiff for the sake of obtaining apostolic protection. Nicholas I, who was pope at the time, accepted the donation and issued to the monastery a privilege which defined the relationship created. The count by his donation conferred upon the Roman church the ownership of the monastery and its possessions. In similar documents the Roman church was sometimes said to have the alodial right. The ownership conveyed, however, was remote from the Roman *dominium*. Nicholas acknowledged that he or his successors could not confer, exchange, rent or retain any of the property of the monastery. It was a very bare ownership indeed which the Roman church received. As an acknowledgment of this proprietary right the monastery was to pay an annual census of one pound of silver. In return the pope guaranteed the monastery against any diminution of its property by king, priest or other person, under penalty of anathema. He also granted to the community the free election of its abbesses subject to papal approval, and forbade the bishop or others to make financial exactions from the monastery. The whole arrangement was designed primarily to secure protection for the monastery, but in return the Roman church received the theoretical ownership of the monastery and its property, which proprietary right was acknowledged by the service of an annual census. The freedom which the papacy protected was from secular control and interference. The monastery was exempted from the spiritual jurisdiction of the bishop only in limited measure, but it was exempted from the bishop's temporal authority.¹

These remained the essential characteristics of the papal privileges granted to monasteries which paid census until the close of the eleventh century. Many monasteries were taken under the protection of the apostolic see which did not pay census,² but they were not given into the ownership of the Roman church and their protection was not as complete. There were, on the other hand, a few monasteries which secured protection in return for the obligation of census without a surrender of proprietary rights to the apostolic see. They were confined mainly — if not entirely — to Germany during the tenth century, when the Ottos were dominating the papacy. They were distinctly exceptional.³ There were also a few monasteries paying census which received a more or less complete exemption from the spiritual jurisdiction of the bishop. Grants of this type became more common in the second half of the eleventh cen-

¹ This aspect of the relationship is brought out more clearly in the formula of another grant: Fabre, *Étude*, p. 73, n. 1.

² MS. Ottoboniano Latino 2948, fol. 9v.

³ Fabre, *Étude*, pp. 49–82; Blumenstok, *Der päpstliche Schutz*, p. 89.

tury, when the papacy received opposition from bishops and support from monks in its struggle for reform. These monasteries came to be designated in the course of time by the formula: 'monasterium ad Romanam ecclesiam nullo medio — or mediante — pertinens.'¹

In 1088 and 1089 the papal chancery began to use a new formula in the type of privilege which granted to a monastery protection because it had been given to the Roman church and paid census in acknowledgment of the ownership. The formula became the point of departure for a development which gave new significance to the privilege. By its terms the census was a sign of the protection or liberty which the monastery received from the Roman church. Though the ownership was still a factor in the relationship, the protection or liberty supplanted it as the expressed reason for the payment of census. The liberty, which, in order to distinguish it from other types of liberty, had come to be known as the Roman liberty, was still regarded as primarily temporal in character. With the rise of Gregorian ideals more emphasis was placed upon the freedom from imperial and royal control enjoyed by the monasteries which paid census, but this was a change in degree and not in kind.²

In most of these privileges, however, the papacy retained some control over the spiritual affairs of the monastery. In the privilege of Vézelay the papacy retained the right of confirmation of the election of the abbesses and the right to intervene generally to see that the service of God was properly maintained by the monastery.³ The privileges which gave exemption from the spiritual jurisdiction of the bishop placed them under the immediate spiritual jurisdiction of the pope.⁴ In the twelfth century the spiritual exemption came to be emphasized. With the use of the new formula the significance of the 'jus et proprietas beati Petri' gradually dropped into the background, and census came to be regarded as an indication of exemption rather than of protection. Monasteries which had not been given to the Roman church by their founders began in the time of Innocent II (1130-43) to seek and obtain the privilege of paying census as a mark of exemption.⁵ What they sought was freedom from episcopal control in spiritualities, and the liberty of which census was the sign gradually became recognized as exemption from episcopal jurisdiction.

¹ Fabre, *Étude*, pp. 84-94.

² *Ibid.*, pp. 71-82.

³ *Ibid.*, p. 83.

⁴ For the powers of a bishop over the monasteries of his diocese which were not exempt see Sweet, 'The English Benedictines and Their Bishops,' *A.H.R.*, xxiv, 565-77; Schreiber, *Kurie und Kloster*, I, 115-236.

⁵ In the papal camera, however, these monasteries were still regarded as the property of the Roman church. Payment of census remained to the cameral staff a sign of 'jus et proprietas beati Petri': Fabre, *Étude*, pp. 113-15.

Alexander III (1159–81) gave legal sanction to this view by drawing a distinction between the words ‘libertas’ and ‘protectio’ in the formulae of such privileges. If the census was paid as a sign of liberty, he ruled, the monastery was exempt from episcopal jurisdiction;¹ if it was paid as a sign of protection, the monastery was not so exempt. The canon proved to be difficult of application, because the two words had been used as synonyms when the new formula was instituted in 1089 and for a long time before. The triumph of the new interpretation was rendered complete in 1203, when Innocent III decided in a suit brought before him that a monastery paying census as a sign of liberty was exempt from episcopal jurisdiction, despite the exception of the episcopal jurisdiction from the scope of the liberty in the original papal grant of the privilege.² The law did not keep pace with popular thought on the subject and accord exemption to every monastery which paid census. Though the decision of Alexander III as interpreted by Innocent III gave exemption to most of them,³ there were still monasteries paying census which were not exempt, just as there were exempt monasteries which did not pay census.⁴

2. PAPAL PROTECTION AND EXEMPTION OF ANGLO-SAXON MONASTERIES

English monasteries were slow to avail themselves of the privileges which could be obtained by paying census to the papacy. As early as the seventh century some Anglo-Saxon monasteries received royal approval for seeking papal protection. The earliest privileges gave to the recipients freedom and protection from external invasion.⁵ The protection accorded to the monasteries in such privileges was similar to that given to the continental monasteries which paid census at an early date, in that it was primarily temporal in character, but the Anglo-Saxon monasteries which received such protection were not given into the proprietary right of the Roman church and they did not pay census. Possibly protection of this general type, which placed the emphasis on freedom

¹ Contrast with this ruling that ‘libertas’ and ‘exemptio’ were synonyms the distinction between them made by Archbishop Corbridge: *Reg. of Corbridge*, II, 92–94.

² Fabre, *Étude*, pp. 94–113.

³ The formula which conferred exemption was further defined by Boniface VIII in Sexto, lib. v, tit. vii, cap. 10; Fabre, *Étude*, pp. 112, 113.

⁴ MS. Ottoboniano Latino 2948, fols. 9^v, 10; Schreiber, *Kurie und Kloster*, I, 37–47, 54, 55.

⁵ Bede, *Ecclesiastical History*, ed. Plummer, I, 241; Bede, *Biographical Writings*, ed. Giles, pp. 87, 96; Elmham, *Historia*, pp. 244–46; Haddan and Stubbs, *Concilia*, III, 123, 124, 161–63. The last, which is addressed to Chertsey, is spurious: Jaffé, *Reg.*, 2115. The story of the grant of Peterborough to the pope by King Wulfhere of Mercia and the exemption of the monastery by Pope Vitellian in 664 from all jurisdiction except the papal told in the Anglo-Saxon Chronicle (I, 52, 53; II, 25–29) is almost certainly false. The earliest example of such a grant of ownership discovered by Fabre comes from Italy and dates from 790.

from secular interference, was obtained later in the Anglo-Saxon period in two or three instances,¹ but some of the later documents which purport to be papal grants of this type are false.² There are also extant a number of papal privileges granting to Anglo-Saxon monasteries exemption from episcopal jurisdiction.³ Most of them are forgeries,⁴ and all of them are open to suspicion with regard to their authenticity.⁵ None of them mentions the payment of census. A few of them were subsequently accepted by the papacy as authentic and became the bases for the issue of confirmations which usually enlarged the scope of the original privileges. Such legitimization of a spurious privilege did not necessarily result in making the monastery responsible for census.

The privileges of the monastery of Evesham illustrate the nature of such confirmations. In the twelfth century the monks of that house produced two privileges which purported to have been issued by Pope Constantine I in 709 and 713. One of them conferred upon Brihtwald, primate of Britain, the care of souls of the church of Evesham. In 1138 they secured a confirmation of these privileges from Innocent II. Further confirmations and amplifications followed, until Clement III, in 1189, spoke of the monastery as belonging to the jurisdiction of St Peter and the papacy 'nullo mediante.'⁶ Eventually the significance of the privileges came into dispute between the bishop of Worcester and the abbot and convent. Innocent III, before whom the case was tried in 1205 and 1206, examined the bull of 709 and declared it to be authentic,⁷ giving a decision in favor of the exemption of Evesham from episcopal

¹ Privilege to Glastonbury of 8 March 798: William of Malmesbury, 'De Antiquitate Glastoniensis,' in Migne, *Patrologia*, CLXXIX, 1709. It is accepted as genuine by the editors of Jaffé, *Reg.*, 2497. Privilege to the same of 971: William of Malmesbury, *Gesta Regum*, I, 241, 242. This is also accepted by the editors of Jaffé, *Reg.*, 3751. The formulae seem to me to be questionable. Incomplete privilege to Abingdon of 801, which appears to be of this type: Jaffé, *Reg.*, 2508. Blumenstok thinks it is probably genuine: *Der päpstliche Schutz*, p. 31. A historian of Ramsey, writing in the twelfth century, mentions a privilege about the election of abbots obtained from Pope John before 991: *Chron. Abbatiae Ramesiensis*, p. 99. He does not give the contents, and the document is not known to be extant. Graham brands it a forgery without giving her reasons: *Ecclesiastical Studies*, p. 185.

² Holtzmann, *Papsturkunden*, I, 217-20; Haddan and Stubbs, *Concilia*, III, 277, n. a; Blumenstok, *Der päpstliche Schutz*, p. 30.

³ Haddan and Stubbs, *Concilia*, III, 124, 125, 153-57; Jaffé, *Reg.*, 3712, 4543; William of Malmesbury, *Gesta Pontificum*, pp. 367-70; *Chron. de Evesham*, pp. 171-73; Kemble, *Codex*, IV, 255; Elmham, *Historia*, pp. 246, 247; Migne, *Patrologia*, CXXXIII, 1041, 1042; CXLVI, 1299. I have not included the exemption granted to Abingdon which relates only to a parish church and not to the monastery itself: *Chron. de Abingdon*, I, 20.

⁴ Haddan and Stubbs, *Concilia*, III, 124, 153, 161, 281; Jaffé, *Reg.*, 2111, 2147, 2149, 3678, 3679; Blumenstok, *Der päpstliche Schutz*, pp. 29, 30.

⁵ Fabre, *Étude*, pp. 86, 87; Stubbs, *Introd. to Chronicles and Memorials of the Reign of Richard I*, II, pp. xxvi-xxviii; Jaffé, *Regesta*, 3712.

⁶ *Chron. de Evesham*, pp. 171-83, 189.

⁷ *Ibid.*, pp. 160, 161.

jurisdiction on the strength of it.¹ Evesham, however, never paid census to the papal camera. It was not included in the list of payers of census drawn up by Cencio in 1192,² in the list of English payers published by Martin IV in 1282,³ nor in the similar list compiled by the collector, Peter Griphus, early in the sixteenth century.⁴ No payment of census by Evesham was entered in the reports rendered by the papal collectors in England to the camera during the fourteenth century, or in the cameral registers where such payments would have appeared had they been made directly to the camera during the fourteenth or fifteenth centuries.

Thus, in the Anglo-Saxon period few monasteries received papal privileges granting protection or exemption. Even if the spurious bulls be included, the number is still very small. None of these privileges, either true or false, alluded to the payment of census. Only one of them — and that almost certainly a forgery — mentioned the cession by a founder to the Roman church of the ownership of a monastery, and such a grant constituted in that period the only reason for the payment of census by a religious community. No Anglo-Saxon monasteries paid census to the apostolic see, nor did those forged exemptions which purport to date from before 1066 give rise in themselves to payments of census at a later time, even if they were eventually accepted by the papacy as authentic.

3. EFFECT OF THE NORMAN CONQUEST

The coming of the Normans infused English monasticism with new vigor. French abbots brought new ideals and practices to many existing religious communities, and new houses were founded in large numbers.⁵ One continental practice which began to be followed subsequently in England was that of seeking papal protection and exemption. The movement did not get well under way until the reign of Henry I.⁶ Dur-

¹ *Ibid.*, pp. 179–83.

² *Liber Censuum*, I, pp. 223–26.

³ *Cal. Pap. Regs. Letters*, I, 475.

⁴ MS. Ottoboniano Latino 2948, fols. 9, 9^v.

⁵ Graham, *Studies*, pp. 166, 167.

⁶ The exemption obtained by Bury St. Edmunds in 1071 and the protection granted to the monks of Durham are the only privileges of these types issued between 1066 and 1120 which I have noted: below, p. 114; *Historiae Dunelmensis Scriptores Tres*, app. pp. vii–x, ccxxxi–ccxxxv; Davis, *Reg.*, nos. 195–97, 281. There may have been others, but they cannot have been numerous. I count the exemption of Westminster dating between 1101 and 1114 as false: Holtzmann, *Papsturkunden*, I, 228–31. Between 1120 and 1135 at least seven protections were received: Jaffé, *Reg.*, 7074, 7340; Holtzmann, *Papsturkunden*, I, 231–34, 237–40; below, p. 96; Lambeth Palace Library, MS. 643, no. 7. The authenticity of Westminster's exemption, dated 30 September 1133, is so doubtful that I have not included it: Holtzmann, *Papsturkunden*, I, 241, 242, 245.

ing the reign of Stephen it accumulated momentum.¹ Though it is possible that the disorder of the period caused more monasteries to seek from the pope protection which could no longer be obtained from the king,² just as continental monasteries had turned to the holy see under similar conditions in the ninth and tenth centuries, it is not probable. The number of papal protections and exemptions granted to continental monasteries seems to have increased in like proportion under the popes who were contemporary with Stephen.³ In England, moreover, the quest for privileges was well begun while Henry I still maintained good order, and, after Henry II had put an end to the anarchy, the accelerated pace of Stephen's reign did not abate.⁴

4. ESTABLISHMENT OF THE PAYMENTS OF CENSUS

The movement to secure papal privileges which involved the payment of census does not appear to have begun among English monasteries until the fifth decade of the twelfth century. Anglesey, Bury St Edmunds and Great Malvern became payers of census to the apostolic see at dates which cannot be established exactly, but the possibility that any of them assumed the obligation before 1140 is slender. The probable pioneers in the English movement were actuated by a desire to obtain exemption from episcopal jurisdiction or to fortify an exemption which they already claimed or enjoyed, and it was in the years shortly before the middle of the twelfth century that the association of census with spiritual exemption was coming to be strongly emphasized.⁵

The first obligation to pay census to the Roman church which can be assigned to a definite date was undertaken by the monastery of Malmesbury. On 23 May 1142, Innocent II, at the request of the abbot of Malmesbury, which had been seconded both by the papal legate, Henry, bishop of Winchester, and by King Stephen, conferred upon the monas-

¹ A list which makes no pretention to completeness yields 49 privileges granting protection or exemption. It does not include those granted to bishops or cathedral chapters of seculars: Jaffé, *Reg.*, 7999, 8004, 8233, 8855, 8870, 8878, 8965, 8972, 9060, 9093, 9118, 9153, 9466, 9567, 9644, 9645, 9797, 8031b, 8124a; Holtzmann, *Papsturkunden*, I, 242-46, 251-89, 291-96, 298-303; *Pinchbeck Reg.*, I, 18; Lambeth Palace Library, MS. 643, no. 7, and *Reg. of Pecham*, fol. 149.

² Brooke and Graham, who place the beginning of the movement in the reign of Stephen, assign this reason for it: *English Church*, pp. 185, 186; *Cambridge Historical Journal*, II, 215; *Ecclesiastical Studies*, p. 185.

³ Privileges granted for the payment of census certainly increased with like rapidity: Fabre, *Étude*, pp. 96-100. Judging by the letters calendared by Jaffé, the monastic drive for privileges received its first great impetus in the time of Calixtus II (1119-24), and increased in intensity under following popes. See also Blumenstok, *Der päpstliche Schutz*, p. 44.

⁴ Jaffé, *Reg.*, 10113, 10235, 10646, 10876, 10877, 11899, 12383, 12528, 12782, 12878, 13313, 14148, 14904, 15416, 15733, 16342, 12801a, 13079a; Holtzmann, *Papsturkunden*, I, 307-553.

⁵ Fabre, *Étude*, p. 99.

tery the privilege of remaining solely under the protection and ownership of the prince of the apostles and the Roman church. The letter gave no explanation of the manner in which the monastery had come into the ownership of the Roman church. The privilege was based upon that of Pope Sergius,¹ which was probably a forgery,² but that document contained no mention of any transfer of ownership or of any payment of census. It purported to give to Malmesbury exemption from episcopal jurisdiction by taking the monastery 'sub jurisdictione et tuitione' of St Peter,³ but ascribed to the saint no proprietary right. Possibly the donation was made in 1142 by Stephen, who was the patron,⁴ but the king was designated in Innocent's privilege only as a supporter of the abbot's petition. Apparently the proprietary right of St Peter was established without any formal transfer of the ownership by the patron of the monastery.⁵ The privilege gave to Malmesbury the usual protection of its property and freedom of electing its abbots. It also forbade any bishop to set up an episcopal throne in the monastery or to celebrate mass there without the invitation of the monks, but reserved the right of the diocesan to give to the monks chrism, holy oil, consecration of altars or churches, ordinations, sacraments, and benediction of abbots, provided he made no charge for his services, gave them without injury, and was in the grace of the apostolic see. As a sign of the liberty thus granted, the abbot was to pay an ounce of gold⁶ annually to the papacy.⁷

This privilege did not specifically exempt the monks completely from episcopal control, and renewals by Eugenius III⁸ and Adrian IV⁹ curtailed the extent of the liberty still further by the insertion of clauses which excluded from the scope of the franchise the canonical justice of diocesan bishops. Meanwhile Anastasius IV had reverted to the form used by Innocent II,¹⁰ and Alexander III likewise made no reservation of the canonical justice of the bishops in his renewal of 11 June 1163.¹¹

When this was the status of their privileges, the monks of Malmesbury put them to the test, and caused the English bishops to learn for the first time what interpretation the papacy was placing upon census paid as a

¹ *Reg. Malmesburiense*, I, 343-45; William of Malmesbury, *Gesta Pontificum*, pp. 367-70.

² Fabre, *Étude*, p. 87, n. 1. Compare Blumenstok, *Der päpstliche Schutz*, p. 32, n. 1.

³ Blumenstok doubts this: *op. cit.*, p. 30, n. 1.

⁴ The king had the custody of the abbey during vacancies: Pipe Roll Soc., *Pubs.*, xxxvii, 182.

⁵ There are other examples of this practice in this period: Fabre, *Étude*, p. 99.

⁶ Calculated by the papal collectors at 13s. 4d.: Lunt, *Papal Revenues*, II, 42; *Collectorie* 227, fols. 37v, 112. In 1185 an ounce of gold was given a value of 15s. at the royal exchequer: Pipe Roll Soc., *Pubs.*, xxxiv, 106.

⁷ *Reg. Malmesburiense*, I, 346-48.

⁸ 30 March 1151: *ibid.*, I, 348-52.

⁹ 31 December 1156: *ibid.*, I, 355-58.

¹⁰ 23 July 1153: *ibid.*, I, 363-66.

¹¹ *Ibid.*, I, 352-55. The date there given is corrected by Jaffé, *Reg.*, 10892.

sign of liberty. When the monks elected Robert their abbot and asked the bishop of Salisbury, their diocesan, to give him benediction, the bishop demanded from him a profession of obedience.¹ The newly elected abbot, desiring to avoid compliance, obtained benediction secretly from the bishop of Llandaff.² The bishop of Salisbury, believing, apparently with right, that the privilege of Malmesbury required the abbot to receive benediction from him, appealed to the archbishop of Canterbury. The abbot based his defense on the privileges of his abbey. The bishop claimed that they were false, offered proof that the abbot's predecessors had made profession to the bishops of Salisbury, and claimed the obedience and subjection of the present abbot. The abbot in reply refused to accept the jurisdiction of the archbishop, 'asserting that he would in the future answer concerning profession or obedience to no bishop or archbishop, but only to the supreme pontiff.' "Poor and miserable," he said, "are the abbots who do not abolish utterly the power of the bishops, when they can obtain from the Roman see complete freedom for an annual ounce of gold."'

When the appeal of the abbot to the pope removed the case from the archiepiscopal jurisdiction, the archbishop reported to the pope the proceedings which had taken place before him. He took the occasion to say in no uncertain terms what he thought with regard to such exemptions. 'Abbots,' he wrote, 'rise against primates and bishops and there is not one of them who displays reverence and esteem for his betters. Empty is the yoke of obedience.' 'Unless the evil has timely remedy,' he continued, 'it is to be feared that, just as abbots are exempted from bishops, so bishops will be exempted from archbishops, and deans and archdeacons from their prelates. For what is this form of justice — or rather this travesty of right — to forbid pupils to agree with their master, sons to obey their father, knights to follow their leader, servants to be subject to their lord? What is it to exempt abbots from the jurisdiction of their bishops other than to command contumacy and rebellion and to arm sons against their parents?' He concluded his outburst with the request: 'If, therefore, the abbot of Malmesbury, who is with us reputed to be a sterile tree, a tasteless fig, and a useless trunk, shall come or send to you, will you weigh his life and reputation in the scales of justice, nor admit his privileges until it is manifest from collation of the writing and seals at what time and by what fathers they were granted?''³

¹ *Reg. Malmesburiense*, I, 371, 372.

² Migne, *Patrologia*, cc, 1456, 1457.

³ Migne, *Patrologia*, cc, 1456-59. The letter appears also among those of Peter of Blois: *ibid.*, ccvii, 213; ed. by Giles, I, 201-5.

The indignation evoked from the archbishop by this state of affairs, which was new in England, raised no echo in Rome, where it was an old story. Much more calmly but no less decisively the papal correspondence on the subject displayed sympathy for the abbot. Alexander III delegated the bishops of London and Worcester to settle the case by a letter of 22 December 1174. 'It has been related to our ears,' he informed them, 'that, although the monastery of Malmesbury belongs especially to our and St Peter's jurisdiction, and the brothers of the monastery humbly and reverently requested our venerable brother, the bishop of Salisbury, to make Robert, then their elect, the abbot by his benediction, he did not wish to concede the gift of benediction unless the elect would promise obedience against the liberty of his monastery and do other things which seemed contrary to the privilege of the apostolic see.' He instructed them, therefore, if they should find this relation truthful, to prevent the bishop from summoning either the abbot or the bishop of Llandaff to answer for the benediction.¹ A few months later Alexander wrote to the bishop of Exeter and the abbot of Ford. The bishop of Salisbury, he explained, was trying to reduce Malmesbury to obedience and subjection, but a monastery which pays census to the pope² ought not to be disturbed by the bishop. He ordered the delegates therefore to inspect the privileges of the monastery. If they found that the monastery was exempt from the bishop, they were to forbid him to molest the monastery.³ The bishop of Salisbury, nevertheless, remained tenacious of his diocesan rights, and further dispute arose over a consecration desired by the monks. On 11 February 1177 the pope again appointed the bishops of London and Worcester to act as his delegates. They were to examine the privileges of the abbey and the bishop. If they should find that Malmesbury pertained immediately to the jurisdiction of St Peter and the pope, they were to perform the dedication themselves and to prohibit the usurpation of power over the abbey by the bishop of Salisbury.⁴

In every instance Alexander III gave to his delegates discretion to decide whether Malmesbury possessed privileges which rendered it exempt from episcopal jurisdiction, but he made manifest his opinion that payment of census created a strong presumption of the existence of such exemption. The decisions rendered by the delegates are unknown, but, on 30 August 1191, Celestine III issued a new privilege which would seem to have settled definitively in favor of the monastery all questions which had been at issue. The abbot was authorized to seek the chrism, holy oil,

¹ *Reg. Malmesburiense*, I, 371, 372.

² 'Quod nobis censuale est.'

³ 22 May 1175: *Reg. Malmesburiense*, I, 371.

⁴ *Ibid.*, I, 370.

benediction and other things enumerated in the privilege of Innocent II from the bishop of his choice, and the monastery was not only declared to be subject to the apostolic see and to no other, but was also freed specifically from all jurisdiction of the bishops of Salisbury.¹

Yet the exemption was brought into litigation once more by the complaint of a bishop of Salisbury that the liberties of the abbot and convent were injurious to him. Honorius III responded on 15 June 1218 by commissioning Adam, abbot of Waverley, and Jordan, abbot of Dureford, to hear and terminate the case by a decision from which there could be no appeal. The hearing was so contentious and prolonged that Pandulph, the papal legate, and the king intervened to bring it to an end. The judges reached their decision on the basis of the privileges of Sergius I, Innocent II and Alexander III.² They disregarded the privileges which saved the canonical justice of the diocesan and the privilege of Celestine III which conferred specific exemption from the bishop of Salisbury. They concluded that the monastery was exempt in spiritualities and temporalities from all subjection to the bishop of Salisbury within the bounds of the monastery and its cemetery. To justify their finding they quoted the specific clauses of the privileges which gave rise to it. The quotations were taken from the privilege of Innocent II, and they also appeared with no more than slight verbal differences in the privilege of Alexander III, but were lacking in the privilege of Sergius I. The clauses were those which took Malmesbury into the protection and ownership of the Roman church, prescribed what was to be done about the chrism and similar things, and prohibited the erection of an episcopal throne in the monastery. As the final reason for their decision the judges explained that the monastery paid census to the apostolic see. The citations contained no specific reference to exemption from episcopal authority except with regard to erecting an episcopal throne and performing public masses there, and they actually laid down the requirement that the chrism, benediction and other named episcopal services must be obtained from the diocesan except under conditions not likely to happen. The deduction of the judges that these clauses conferred exemption rested upon inference which could be drawn only from the clauses taking the monastery into the proprietary right of the Roman church and establishing the payment of census as a sign of liberty. Though not stated in their decision, as it had been in the judgment rendered by Innocent III in a similar case,³ it was inherent in their reasoning that payment of census as a sign of liberty

¹ *Reg. Malmesburiense*, I, 359-63, 382-86.

² The commission and the decision appear in *Reg. Malmesburiense*, I, 401-4.

³ Above, p. 88.

rendered void any apparent limitations placed upon that liberty by other clauses of the privilege. This award finally settled the long controversy. Both parties to the suit ratified it,¹ and the pope confirmed it.² Thus the proud boast of the abbot that complete freedom from the diocesan's control could be obtained from the Roman see for an annual ounce of gold was vindicated.

St Albans was not long behind Malmesbury in becoming a payer of census. It first assumed the obligation as the result of a privilege granted by Celestine II, who was pope from 26 September 1143 to 8 March 1144.³ The monastery claimed to have also a privilege secured for it by Offa II from Adrian I (772-95), which rendered it not only privileged but entirely free⁴ from any mortal, and subject only to the Roman church.⁵ If such a document had ever existed, either it had disappeared before 1163, or it was of such doubtful authenticity as to render its value as evidence worthless,⁶ since the abbot did not produce it among the privileges by which he attempted to prove to the royal judges in that year that he was exempt from the jurisdiction of the bishop of Lincoln.⁷ The abbey also possessed a privilege granted by Calixtus II (1119-24) on the petition of Henry I. Its existence is well attested,⁸ but no copy of it is known to have been preserved. Neither of these earlier privileges, however, established any payment of census.⁹

The significance of the privilege of Celestine II was brought out in the course of litigation between the bishop of Lincoln and the abbot over the exemption of St Albans. The suit was initiated by Robert, who became bishop in 1148. He was not disturbed at first by the privileges of Calixtus II and Celestine II, or by the confirmation of the latter by Eugenius III,¹⁰ since Abbot Robert received benediction from him and made pro-

¹ *Reg. Malmesburiense*, i, 391-98, 404-9; *Charters illustrating the History of Salisbury*, pp. 88-91; H.M.C., *Reports on MSS. in Various Collections*, i, 341.

² 8 March 1222: *Reg. Malmesburiense*, i, 378.

³ The privilege is not known to be extant. It was produced as evidence in a suit tried in 1163: *Gesta Abbatum*, i, 152.

⁴ 'Non solum libera est, sed et ingenua': *Gesta Abbatum*, i, 141; Trokelowe, *Liber de Benefactoribus* p. 437.

⁵ *Gesta Abbatum*, i, 4; Trokelowe, *Liber*, p. 437.

⁶ With a few possible exceptions, bulls granting exemption from episcopal jurisdiction before the second half of the ninth century are worthy of suspicion: Blumenstok, *Der päpstliche Schutz*, pp. 29, 30; Fabre, *Étude*, pp. 86, 87.

⁷ *Gesta Abbatum*, i, 143. Later, when Henry II inspected the royal and papal privileges of the house, a grant of Offa II was put forward, but no privilege of Adrian I appeared: *ibid.*, pp. 151, 152.

⁸ It was produced in the trial of 1163: *Gesta Abbatum*, i, 143, 152. It was also mentioned in privileges of Clement III, Honorius III and Alexander IV: *ibid.*, i, 498; Prynne, *Records*, ii, app. pp. 21-24; Lambeth Palace Library, MS. 643, no. 7.

⁹ Below, p. 98.

¹⁰ The text is lacking. The bull was obtained by Ralph, who was abbot from 1146 to 1151: *Gesta Abbatum*, i, 107. Its existence is also attested by the confirmations listed in note 8, above.

fession to him in 1151.¹ Later, Abbot Robert obtained from Adrian IV (1154-59), whose associations during his earlier life in England had disposed him favorably toward St Albans,² a confirmatory privilege and a group of additional privileges,³ which he forced upon the attention of the bishop by publishing them in an assembly of English prelates convoked in connection with a session of the great council. The bishop protested some of the privileges. Attempts made by friendly English prelates to effect a compromise between the bishop and the abbot failed.⁴ When the news of the death of Adrian IV reached England, the abbot, fearing that the bishop might take advantage of the succession of a new pope to attempt to secure a modification or revocation of the exemption, dispatched a messenger in hot haste to seek a confirmation from Alexander III. The desired document was obtained,⁵ but it did not stay the bishop, who appealed to both pope and king.

The former acted first. On 16 March 1162 Alexander III notified the abbot that, because the bishop had questioned his confirmation of Adrian's privilege by claiming that St Albans was subject to diocesan control, he had delegated the bishops of Chichester and Norwich to try the cause and transmit the evidence to him for a final decision.⁶ Before the delegates constituted their court, Henry II intervened. Late in 1162 or early in 1163, from Falaise, he dispatched to his justiciar, the earl of Leicester, an order to associate with himself the bishops of Chichester, Lichfield and Norwich and the abbot of Westminster to hear the suit between the bishop and the abbot, and to report what rights the bishop had had in the church of St Albans in the time of Henry I and what liberties the abbot had then possessed.⁷ The hearing began on 1 February 1163. Before it was finished, the king returned to England⁸ and ordered the case to be tried before himself at a session of the great council summoned for 3 March.⁹ Before this court the abbot asked that, if he pleaded there, he might not be required to plead again before the delegated judges of the

¹ *Gesta Abbatum*, I, 140, 141.

² *Ibid.*, I, 124-27.

³ *Ibid.*, I, 128, 129, 132. These privileges also do not appear to be extant. Their existence is attested in the later confirmations previously noted.

⁴ *Gesta Abbatum*, I, 131, 135.

⁵ *Ibid.*, I, 136, 137. The text is not given. The bull was issued after 7 September 1159 and before 16 March 1162. It is mentioned in Alexander's letter of the latter date.

⁶ *Ibid.*, I, 144. Text given but year of date omitted. It is dated at Genoa on 16 March, which places it in 1162.

⁷ *Gesta Abbatum*, I, 138.

⁸ Probably early in February: Delisle, *Recueil*, Introd., p. 525.

⁹ *Gesta Abbatum*, I, 138-50. The year is not given. It is established by the date of Henry's return, by the presence of Archbishop Becket, who was not consecrated until 13 June, 1162, at the trial, and by the production at the trial of Alexander's letter dated 16 March 1162.

pope. The king answered, speaking to Archbishop Becket who sat beside him: 'What the abbot requests is consonant with reason. For it would not do honor to our majesty, if a suit decided in our palace should again wait for sentence in the consistory of the lord pope.' He finally avoided the possibility of such a conflict of jurisdiction by effecting a compromise between the parties to the suit.

Early in the proceedings he asked the abbot to retire with him for the purpose of displaying to him in private the privileges of the monastery. First he viewed the royal charters. 'When they came to the privileges of the Roman pontiffs, and the king heard that the privilege of Calixtus, in which all things given by the kings of England to St Albans both in villis and liberties were confirmed, had been granted at the petition of his grandfather, he said again: "Whatever was done in the kingdom at my grandfather's petition has such force that it cannot be annulled for any reason." But when he heard the privilege of Pope Celestine, moved about that article in which it is said that an ounce of gold is to be paid each year to the highest pontiff for census, he said: "In this article, lord abbot, there is a derogation to our dignity; for it was not allowed to you to make my church tributary to the Roman see without my assent; nor ought the Roman pontiff to have done it." To which the abbot replied: "My lord king, it was not done in my time; this was done in the time of our third predecessor." And the king answered: "Whoever did this did it illegally."'¹

Henry's interpretation of the law had the support of the practice which had been followed at the papal court for a long period. Monasteries were received into the proprietorship of St Peter and made payers of census only on the gift of their founders or patrons.² Since St Albans was a royal foundation, the ancient custom of the papal court dictated the necessity of the royal consent before the relationship could be established. With the growth of emphasis on census as a sign of exemption, however, the papal court was beginning to neglect the observance of the old forms of procedure in creating the relationship. Malmesbury and other monasteries had been made payers of census and declared to be in the proprietary right of St Peter during the pontificate of Innocent II (1130-43) without any donation of the monasteries on the part of their patrons and founders.³ In 1163 this practice was still so new that Henry II conceivably might have secured papal confirmation of the view that St Albans paid census illegally.

¹ *Gesta Abbatum*, I, 150-52, as translated by Lunt, *Papal Revenues*, II, 32, 33.

² Above, pp. 85, 86.

³ Fabre, *Étude*, p. 99; above, pp. 87, 88.

The king did not force the issue. On the next day he heard the bishop of Lincoln and found that his claims were based solely upon prescription.¹ He then proposed that the case should be settled by composition, and suggested that the abbot should give to the bishop a manor worth ten pounds annually in return for the resignation by the bishop of his claims. The composition was accepted by both parties to the suit² and was later ratified by the pope.³

Thus Henry II accepted the papal exemption as valid and allowed the census to stand, despite his protest. The privilege of Celestine II was confirmed by Lucius III between 1181 and 1185⁴ and by Clement III in 1188.⁵ In the *Gesta Albini*, which was compiled at the papal court about 1185, St Albans was listed as owing an ounce of gold annually,⁶ and its responsibility for the payment from that time to the close of the period under review is amply attested.⁷ So another great English monastery bought freedom from its diocesan by annual payment to the apostolic see of an ounce of gold.

The Benedictine house of Faversham undertook to pay census at the time of its foundation or soon after. It was established by King Stephen and Queen Matilda in 1147,⁸ and the privilege which instituted the annual payment of a silver mark of census was issued by Eugenius III,⁹ whose pontificate ended in 1153. The nature of the privilege received by Faversham cannot be stated with certainty for lack of any copy of the document by which it was granted, but later correspondence with regard to it provides a basis for inferences concerning some aspects of it.

Somewhat more than eighty years after the foundation of the house, the abbot and convent protested to the pope the demand made upon them by the papal collector, Stephen, for census.¹⁰ They asserted that the royal

¹ In the preliminary hearings before the king's delegates the abbot traversed the plea of prescription: *Gesta Abbatum*, I, 141.

² *Gesta Abbatum*, I, 154-57.

³ 15 March 1188: Matthew Paris, *Additamenta*, pp. 43, 44.

⁴ Lambeth Palace Library, MS. 643, no. 7.

⁵ *Ibid.*; *Gesta Abbatum*, I, 498; Jaffé, *Reg.*, 16342. It was also ratified later by Celestine III, Honorius III and Alexander IV: Lambeth Palace Library, MS. 643, no. 7; Prynne, *Records*, II, app. pp. 21-24.

⁶ *Liber Censuum*, II, 121. In the *Liber Censuum* the sum was said to be an ounce of gold marabots: *ibid.*, I, 225. It was calculated by papal collectors as equivalent to 13s. 4d.: Lunt, *Papal Revenues*, II, 42.

⁷ *Liber Censuum*, I, 225; *Cal. Pap. Regs. Letters*, I, 475, 476; Lunt, *Papal Revenues*, II, 42; *Collectorie* 227, fols. 35^v, 112.

⁸ Dugdale, *Monasticon*, IV, 568.

⁹ Lambeth Palace Library, Reg. of Pecham, fol. 149.

¹⁰ Our knowledge of the protest comes from a summary of it given in a letter addressed to the collector, Stephen, by Gregory IX on 15 January 1230. Stephen quoted the papal letter *verbatim* in one of his letters, and a notarial copy of his letter, made on 30 July 1282, was entered on fol. 149 of Archbishop Pecham's register.

founders of the monastery had ordained that it should be free from all service and burden of census, and they claimed that it had so remained until the collector appointed by Gregory IX attempted to exact census from it. Since his demand was based upon the privilege granted by Eugenius III, the abbot and convent acknowledged that a proctor of the house had been authorized to sue for this privilege, but denied that he had been empowered to make the monastery a payer of census (*censualem*). They added that, when the proctor had returned with the privilege, the abbot and convent had repudiated it and had refused to receive it, on the ground that he had not been empowered to commit them to the payment of census. In 1230 they claimed, therefore, that they were not held *de iure* to answer for census. In response to this protest Gregory IX instructed Stephen to investigate, and, if he should find the allegations true, to desist from his demand for census.¹

Though the results of the collector's search for information are unknown, other evidence indicates that the relation of the abbot and convent was not true in all particulars. If the privilege was denied legally at the time of its issue, Faversham ought not to have been included in the *Liber Censuum*, which was compiled in 1192, among the monasteries which owed census, but it was charged with an annual mark not only there but also in the earlier *Gesta Albini*.² After Stephen's investigation, moreover, the monastery was not relieved permanently of its obligation for census. On 15 March 1282, Martin IV listed for publication in England by the papal collector the English payers of census and the amounts for which they were annually responsible.³ Not only was Faversham included in the list, but the same pope also ordered Geoffrey of Vezzano, who was then the resident papal collector, to compel the abbot and convent to pay the census '*nomine subiectionis et exemptionis*.'⁴ On this occasion Archbishop Pecham appealed to the pope.⁵ He was not concerned with the payment of census in itself, but with the reason put forward for its levy. He denied that Faversham was exempt and subject only to the apostolic see, and claimed that it had always been subject immediately to the archbishop of Canterbury.

What decision the pope rendered on this appeal has not come to light,⁶

¹ Bliss, in his summary of the letter gives the wrong inference that Gregory IX definitely ordered Stephen to cease his demand for census: *Cal. Pap. Regs. Letters*, I, 122.

² *Liber Censuum*, I, 224; II, 121.

³ *Cal. Pap. Regs. Letters*, I, 475.

⁴ Lambeth Palace Library, Reg. of Pecham, fol. 147^v.

⁵ *Ibid.* The notarial copy of the appeal is dated 16 July 1282.

⁶ Another case which probably involved the same issue was before the papal court at the same time. Pecham had earlier deposed the abbot of Faversham and put another in his place. Both abbots had appealed to Rome: *Cal. Pap. Regs. Letters*, I, 470. I have not found the judgments on these appeals either.

but the actual outcome seems to have been that the monastery was neither relieved of the payment of census nor freed from the jurisdiction of the archbishop. In the fourteenth century papal collectors reported regularly to the papal camera receipts of census from Faversham,¹ while concurrently the archbishops exercised over the monks various powers to which they had no legal right if the house was in the immediate jurisdiction of the apostolic see. The archbishops visited the abbey frequently, apparently in their diocesan capacity,² they issued decrees regulating the affairs of the monastery,³ and they also confirmed the elections of its abbots.⁴ The last right had, indeed, been exercised by the archbishops ever since the foundation of the abbey. They blessed abbots and received from them professions of canonical obedience in 1147, 1178, and 1292, and in 1275 the archbishop deposed one abbot and put another in his place.⁵ Unless the archbishops exercised these powers by express papal commission — and of such commission no trace exists — Faversham did not actually enjoy the exemption of a monastery subject immediately to the apostolic see. Freedom from episcopal visitation and from episcopal confirmation of abbatial elections constituted an important part of such exemptions.⁶

The light shed by these events upon the nature of the original privilege granted to Faversham by Eugenius III is too feeble to dispel all the shadows which surround it. If the proctor sent by the abbot and convent exceeded his instructions in committing the monastery to the payment of census, the founders of the monastery probably did not convey the ownership of it to St Peter. The abbot and convent could hardly have failed to know that a privilege based on such a transaction would result in the establishment of census as a sign of the eminent domain thus created,⁷ which would be in conflict with the intention of the founders to leave the monastery free from census. Even though this part of the story told by the abbot and convent may have been untrue,⁸ the issue of a privilege of

¹ Lunt, *Papal Revenues*, II, 41; *Collectorie* 11, fol. 21; 12, fol. 4; 13, fol. 3v; 14, fol. 24v; 227, fols. 35, 111v.

² Gervase of Canterbury, *Opera*, II, 280; Matthew Paris, *Chron. Maj.*, v, 120; Cheney, *Episcopal Visitation*, p. 51; Churchill, *Canterbury Administration*, I, 139-42, 146; II, 38-40. Miss Churchill implies that the archbishops visited non-exempt monasteries in their metropolitanical, or even in their legatine capacity, but her only evidence relates to the metropolitan chapter of Christchurch: *op. cit.*, I, 143.

³ *Treas. of Receipt* (E 36), Misc. Bk. 137, p. 12.

⁴ Churchill, *Canterbury Administration*, I, 122, n. 3.

⁵ Gervase of Canterbury, *Opera*, I, 138, 277; II, 280, 282, 405; *Reg. of Peckham*, III, 984.

⁶ Above, pp. 86-88; *Gesta Abbatum*, I, 139, 140; *Chron. de Evesham*, pp. 109-93; Migne, *Patrologia*, cc, 1456-59.

⁷ Above, p. 86.

⁸ Stephen must have found either the claim that the proctor exceeded his powers or the claim that the privilege was repudiated untrue, since the census continued to be exacted.

this older type after 1147 was uncommon, though not unknown. The formula which had become customary by that time stated that the census was to be paid as a sign either of liberty or of protection given by the Roman church. After Alexander III issued his rescript, only a formula which employed the word 'liberty' gave exemption from episcopal jurisdiction.¹ The actual subjection of Faversham to the archbishop establishes a probability that the privilege of the abbey conferred upon it only papal protection.

The possibilities to the contrary should not be overlooked, however. A bishop might exercise diocesan authority over an exempt monastery, if the monks of the house raised no objection. The monastery of St Albans remained in subjection to the bishop of Lincoln for several years after it had received the Roman liberty,² and the authority of the bishop of Worcester was acknowledged at Evesham for a long time after the house became subject immediately to the apostolic see.³ The mere exercise of jurisdiction over Faversham by the archbishop does not establish the non-existence of its exemption. The failure of the monks to invoke the privilege, had they possessed it, was, on the other hand, contrary to the spirit of the times, of which many a bishop complained bitterly.⁴ Moreover, since Pecham's appeal brought the question of exemption to an issue, and the archbishops thereafter continued to exercise jurisdiction over the monastery, the existence of an exemption may be regarded as extremely doubtful. The abbot and convent, to be sure, might have been unable to prove their exemption, because they had lost the privilege granting it,⁵ or they might not have contested the archbishop's appeal; but neither supposition weighs the balance of probability as heavily in its favor as the supposition that the original privilege had established the census as a sign of protection.

During the pontificate of Adrian IV (1154-59) the monastery of Laund or Landa,⁶ in the county of Leicester, received a privilege which made it responsible for the render of two bezants a year in the name of census. This we learn from the statement of Peter Griphus, who was papal collector in England early in the sixteenth century. He derived his information from the record of an inquiry made in the king's exchequer in 1405

¹ Above, p. 88.

² Above, pp. 96, 97; *Gesta Abbatum*, I, 139-42.

³ *Chron. de Evesham*, pp. 161-63; 179-83.

⁴ *Gesta Abbatum*, I, 137, 138; Migne, *Patrologia*, cc, 1457.

⁵ The experience of another monastery demonstrates that such a loss was possible: Fabre, *Étude*, p. 158.

⁶ The monastery was founded about 1125 by Richard Basset and his wife: Dugdale, *Monasticon*, vi, 187.

at the request of Ludovico, bishop of Volterra, who was the papal collector at that time.¹ The nature of the privilege Peter did not explain.

The history of the payment between the time of Adrian IV and 1405 rests upon conjecture. In the *Gesta Albini*, the *Liber Censuum* and the letter of Martin IV no mention of Laund occurs. In all three a monastery owing two bezants is recorded under the diocese of Coventry and Lichfield which is designated variously as 'Bredeleia,' 'Brideia,' and 'Bredon.'² There was no monastery in the diocese of Lichfield to which that name could be applied, and papal collectors were unable to find it. Rigaud d'Assier did not enter the monastery in his account of receipts from census between 1317 and 1321,³ and most of his successors in the office previous to the great schism observed the same discreet silence about Bredon. Iterius de Concoreto was more methodical. In his account of the census collected in 1329, he noted the charge of two bezants entered in the *Liber Censuum*⁴ against Bredeya in the diocese of Coventry, though he recorded no payment and gave no reason for his failure to do so.⁵ His successor, Bernard de Sistre, explained in his statement of receipts from census in 1335 that he had obtained nothing for the two bezants charged against Bredya, because he could find the house neither in the diocese of Lichfield nor elsewhere in England.⁶ Without doubt the other collectors failed to exact census from Bredon for the same reason, though they did not call attention to their difficulties in their reports.

The failure of any collector to discover the monastery during so long a period militates against the natural surmise that Bredeya was Breedon in Leicestershire entered in the *Liber Censuum* under the diocese of Lichfield by mistake.⁷ The collectors of census were charged with items according to the entries in the *Liber Censuum*.⁸ Other payers of census were recorded in that compilation under wrong dioceses, but when they were actually in another diocese of the same collectorate, the collectors usually detected the errors.⁹ Even if Bernard's search was not thorough,¹⁰ it is unlikely that several other collectors, as well as he, failed to identify Bredeya with Breedon, if the two were the same.

¹ MS. Ottoboniano Latino 2948, fol. 46.

² *Liber Censuum*, I, 225; II, 121; *Cal. Pap. Regs. Letters*, I, 475.

³ Lunt, *Papal Revenues*, II, 41-43.

⁴ *Provinciale*.

⁵ *Collectorie* 227, fol. 36.

⁶ *Ibid.*, fol. 112.

⁷ Fabre makes this surmise: *Liber Censuum*, I, 225.

⁸ Established by the note of Iterius de Concoreto. Also, compare the following lists supplied to collectors with the appropriate sections of the *Liber Censuum*: *Cal. Pap. Regs. Letters*, I, 475; *Regs. d'Urbain IV*, I, 465.

⁹ Lunt, *Papal Revenues*, II, 41; Fabre, 'La Perception du Cens,' *M.A.H.*, xvii, 227, 239, 245.

¹⁰ He failed, for example, to discover that 'monasterium Malveberiense,' entered in the *Liber* under Lincoln, was a misplaced entry of Malmesbury, which also appeared correctly under Salisbury as 'Monasterium sancti Adelmi': *Collectorie* 227, fol. 112.

In the light of the discovery made in 1405, it seems far more probable that Laund in the county of Leicester and the diocese of Lincoln had been inscribed in the *Liber Censuum* as Bredeleia in the diocese of Coventry and Lichfield. Other equally extraordinary mistakes may be found in the *Liber Censuum*. The fate of the abbey of Floreffe may serve as an illustration. The abbey was located in the diocese of Liège, and it was so entered in the *Liber Censuum*. It was, however, entered a second time under the diocese of London,¹ where it must have given English collectors no little trouble.² The probability that Bredeleia and Laund were the same rests upon the amount of the census charged against the two. During the fourteenth century the papal collectors had been unable to find any monastery responsible for the two bezants which had been charged against Bredeleia since 1185 at least; in 1405 a papal collector found a monastery which had owed two bezants annually since the time of Adrian IV but had not paid the due for a long time.³ The coincidence, taken in conjunction with the lack of any other English payer of census who owed that precise sum, leads to the supposition that Bredeleia and Laund were identical, and that for one whole century, if not for two and more, Laund had escaped payment of census through the blunder of a papal scribe made in 1185 or earlier.

After the renewal of the payment of census in 1405, the priory did not enjoy exemption from episcopal jurisdiction. In 1440 the bishop of Lincoln visited Laund, and the prior rendered the customary obedience without protest.⁴ The situation points to a privilege which granted only protection, for if the existence of the privilege had passed from the memory of the canons,⁵ the renewal of the census in 1405 would have revived it. It may be possible, however, that the priory had lost its original exemption through neglect for a century and more to pay the census which was the sign of it.⁶

¹ *Liber Censuum*, I, 163, 164, 224.

² Bernard de Sistre reported that he could not find it: *Collectorie* 227, fol. 111^v. For other examples of monasteries which could not be found see Lunt, *Papal Revenues*, II, 41; Fabre, 'La Perception du Cens,' *M.A.H.*, x, 375.

³ The sum was computed at 4s. in 1405: MS. Ottoboniano Latino 2948, fol. 46. The rate would probably have been the same earlier. In 1292 a French collector commuted the bezant at rates varying from 6s. 8d. to 8s. of small Tours, but most commonly at 8s.: Fabre, 'La Perception du Cens,' *M.A.H.*, xvii, 233, 237-46, 249, 251. In 1286-87 1s. sterling exchanged for 4s. of small Tours: *Treas. of Receipt*, Misc. Bk. 201, p. 8.

⁴ *Visitations in the Diocese of Lincoln*, II, 177-83.

⁵ There is record of such a loss of memory in a continental monastic community: Fabre, *Étude*, p. 158.

⁶ This is questionable. The pleading and the decision in the case of Evesham indicate that prescription did not run against an ordinary exemption: *Chron. de Evesham*, pp. 161-63, 179-83. But when census was the sign of liberty, would failure to pay census end the liberty? Daux answers in

Chertsey was established as a payer of census by a bull which Alexander III issued on 19 February 1176.¹ The monastery possessed several earlier privileges. Those attributed to Agatho (678–81) and John were spurious,² though they were accepted as genuine by both Eugenius III and Alexander III.³ One of two purporting to come from the chancery of Victor II (1054–57) was a forgery, but the other may have been authentic.⁴ A privilege was granted to them on 16 February 1150 by Eugenius III, who professed to follow the example of his predecessors Agatho, John and Victor.⁵ All of the grants preceding Alexander's, both false and genuine, conferred protection of the temporal type. They did not take the monastery into the proprietorship of St Peter or establish any payment of census. Only the bull falsely ascribed to John gave exemption from episcopal authority.

Alexander III began his letter by receiving Chertsey 'in ius et tutelam atque proprietatem beati Petri [et nostram],' after the example of his predecessors Agatho and John. Actually the privileges of Agatho and John did nothing of the sort. The ownership of St Peter was first created in 1176 by Alexander without any mention of the consent of the patron. Alexander's privilege, in addition, gave protection to the possessions of Chertsey, which were named *seriatim*, defined the purposes for which the monks must obtain the services of their diocesan in much the same terms as those found in Malmesbury's privilege of 1142, and laid down the requirement that the abbot and convent should pay to the pope four aureii each year 'ad indicium autem huius a sede apostolica percepto libertatis.' Though different in detail, Chertsey's privilege was an exemption in the same legal category as Malmesbury's.

Chertsey was recorded as a payer of census in the *Gesta Albini*, the *Liber Censuum* and the list published by Martin IV.⁶ From the accounts kept by collectors of census in the fourteenth century, where payments by Chertsey were entered, it appears that two shillings were ac-

the affirmative, but he produces no evidence to support his view: 'La Cens pontificale,' *R.Q.H.*, LXXV, 65. Berlière and Fabre deny that the liberty was dependent upon the payment, and they find instances of payments suspended from forty to sixty years which did not cause withdrawal of the privileges: *Inventaire des Libri Obligationum*, pp. vi, vii; 'La Perception du Cens,' *M.A.H.*, XVII, 222 et seq. In their examples, however, the arrears were ultimately paid. If the debt accumulated long enough and the arrears were not paid, might not a time come when the liberty would be outlawed? Even in the sixteenth century the law appears to have been somewhat obscure. See the opinion of Peter Griphus in app. IV, below, p. 639.

¹ Holtzmann, *Papsturkunden*, I, 405–8.

² *Ibid.*, I, 215–17; Haddan and Stubbs, *Concilia*, III, 161–64; Jaffé, *Reg.*, 2115.

³ Holtzmann, *Papsturkunden*, I, 284, 406.

⁴ *Ibid.*, I, 219–21.

⁵ *Ibid.*, I, 284–86.

⁶ *Liber Censuum*, I, 224; II, 121; *Cal. Pap. Regs. Letters*, I, 475.

cepted as the equivalent of an aureus.¹ The payment of census by Chertsey appears to have run a normal course.

Laund and Chertsey were the only English monasteries to assume the obligation of census during the reign of Henry II.² Waltham was entered in the *Gesta Albini* as a debtor for census, but the entry was made by a hand later than the original.³ Apparently it was the same hand which entered the chapel of St Stephen in the palace of Westminster, and this church did not become responsible for the payment of census until 1349.⁴ Waltham was taken under the protection of St Peter by Lucius II on 11 May 1144,⁵ and by Alexander III in 1178 or 1180,⁶ but neither of these bulls mentioned census or granted exemption. The latter was obtained from Lucius III on 21 May 1182. Acting on the joint petition of Henry II, who had established at Waltham a group of regular canons, and of the prior and brothers of Waltham, he received the monastery into the right and ownership of the Roman church and conferred upon it a very complete exemption from all ecclesiastical jurisdiction except the papal.⁷ Neither that privilege nor the several confirmations which followed between 1184 and 1192 said aught about census.⁸ Waltham, moreover, did not appear in the *Liber Censuum* or in the list of payers dispatched to England in 1282, and papal collectors recorded no debt against or receipt from the house during the fourteenth century. After 1182 Waltham enjoyed the status typical of a monastery which paid census as a sign of liberty, but before 1327 it was under no obligation to make the payment. The entry in the *Gesta Albini* must have been made at a later date.⁹

¹ Lunt, *Papal Revenues*, II, 42; *Collectorie* 227, fols. 35, 111^v; 13, fol. 38^v.

² Anglesey, Bury St Edmunds, Great Malvern and Chacombe constitute possible, but improbable, exceptions.

³ *Liber Censuum*, II, 121.

⁴ *Cal. Pap. Regs. Letters*, III, 330.

⁵ Holtzmann, *Papsturkunden*, I, 253, 254.

⁶ 17 September: *ibid.*, I, 445, 446.

⁷ *Ibid.*, I, 480–83.

⁸ *Ibid.*, I, 501, 511, 533, 543–45, 592–94.

⁹ It may be doubted if Waltham ever paid census as defined above. In the fifteenth century it began to pay to the papacy £5 annually, which was called 'census' or 'pensio.' It was paid, however, to enable the abbot elected by the monks to assume office immediately without seeking papal confirmation: MS. Ottoboniano Latino 2948, fol. 44.

Westminster, it may be noted, was in like case with Waltham. Its first authentic privilege, which was issued by Innocent II on 22 April 1139, following a long and distinguished line of fabricated privileges, designated the abbey as belonging 'ad ius et proprietatem beati Petri.' Later in the same century it became 'nullo mediante': Holtzmann, *Papsturkunden*, I, 229, 241, 244, 245, 286, 321, 325, 364, 379, 415. It never paid census, but in 1478 it began to pay 100 florins annually for a privilege similar to that of Waltham: MS. Ottoboniano 2948, fols. 43, 43^v; Muniments of Dean and Chapter of Westminster, 9435, 9444, 9446–48, 9450–52. For the last references I am indebted to Dr. A. H. Sweet.

For a few years after the reign of Henry II English monasteries sought with greater freedom privileges which entailed the obligation of census. The priory of Anglesey was probably one of this group. It cannot be determined exactly when the payment began, because the privilege which established it is lacking. The priory was founded during the reign of Henry I.¹ It was charged in the *Liber Censuum* with an annual census of one *melechinus*,² but the item was entered after Cencio's compilation of the original work in 1192. He left blank spaces which he regarded as sufficient for the subsequent insertion of such payers of census as might be added to the list before the end of the world.³ A copy of the work which was in constant use in the papal camera received such additions throughout a period extending at least to the close of the fifteenth century. By the collation of two different manuscripts and a study of the hands, the editors of the *Liber Censuum* were able to determine whether the items recorded after the original had been completed were written before or after 1236.⁴ Anglesey was entered after 1192 and before 1236. If Anglesey was paying census before 1192 and was overlooked by Cencio, it also escaped the attention of Albinus who made a similar compilation on a less pretentious scale a few years earlier. Anglesey became a payer of census certainly before 1236 and in all probability after 1192.

The census was probably paid as a sign of protection. In 1299 the archbishop of Canterbury, who was exercising the spiritual authority of the bishop of Ely during the vacancy of the see, intervened in the affairs of the priory by right of his diocesan authority in a manner entirely incompatible with the existence of an exemption,⁵ and in 1346 the bishop of Ely visited the monastery.⁶ The customary right of the archdeacon to install a newly elected prior and to charge a fee for the service⁷ also indicates that the priory was not exempt.

After the payment was established, the monastery appears to have maintained it without any notable irregularity. In 1282 the pope published Anglesey as one of the English houses which ought to pay census to the papal collector.⁸ In the fourteenth century, when the reports of the papal collectors of census first became available, Anglesey paid two shillings as the equivalent of the *melechinus*.⁹

¹ Dugdale, *Monasticon*, vi, 394. Hailstone's assumption that Bartholomew Cotton ascribed the foundation to 964 appears to be incorrect: 'History of Bottisham,' Cambridge Antiquarian Soc., *Octavo Pubs.*, xiv, 171.

² *Liber Censuum*, i, 226. The *melechinus* was a gold coin of Arabic origin: *ibid.*, i, 6, n. 1.

³ *Liber Censuum*, i, 4.

⁴ *Ibid.*, i, preface, and p. 4, n. 2.

⁵ Graham, 'Administration of the Diocese of Ely,' *T.R.H.S.*, 4th ser., xii, 62, 63.

⁶ Dugdale, *Monasticon*, vi, 394.

⁷ Graham, *loc. cit.*, p. 63.

⁸ *Cal. Pap. Regs. Letters*, i, 476.

⁹ *Collectorie* 227, fols. 36, 112.

The history of the census owed by the priory of Chacombe parallels that of the census paid by Anglesey. No copy of its privilege is known to be extant. The house was not founded until a few years before the close of the reign of Henry II,¹ and since it was omitted from the *Gesta Albini* and was not listed in the *Liber Censuum* until after 1192, it probably did not begin to pay census until after that date. It had become liable for census before 1236.² The census was probably paid for protection only. In 1240, when the canons were not likely to have forgotten the terms of their privilege, the bishop of Lincoln confirmed the election of their prior and instituted the elected prior in his office.³ In the fifteenth century the bishop exercised the right of visiting Chacombe.⁴ The amount of the payment was fixed at one masmotin obol,⁵ which for practical purposes was valued at fifteen pence. Chacombe was still listed as a payer of census in 1282, and it was meeting its obligation in the fourteenth century.⁶

With the possible exception of Anglesey and Chacombe, the first monastery to become a payer of census during the reign of Richard I was the Augustinian priory of Tonbridge. The initiative in seeking the privilege was taken by Richard, earl of Clare, who founded the monastery and built its church on his own land. He ceded it to the pope and the Roman church, attesting the transfer of ownership by a letter. On 2 January 1192 Celestine III took the house 'in jus beati Petri et specialem sedis apostolice protectionem,' placed it under the immediate jurisdiction of the apostolic see, and decreed an annual census of an ounce of gold⁷ 'ad indicium autem perceptum a sede apostolica libertatis.'⁸ The canons experienced some difficulty in maintaining their exemption at first. In 1201 Innocent III warned the archbishop of Canterbury and the bishop of Rochester not to presume to molest them in the future.⁹

The payment of census was not arranged in time to be incorporated in the original compilation of the *Liber Censuum*, and for some reason it was not added later. It consequently did not appear in the letter of 1282.

¹ Dugdale, *Monasticon*, vi, 426.

² *Liber Censuum*, I, 225.

³ *Rot. Roberti Grosseteste*, p. 204.

⁴ *Visitations in the Diocese of Lincoln*, II, 53.

⁵ 'Obulum massemutinum,' a coin of the Almohades: *Liber Censuum*, I, 12, n. 2.

⁶ Lunt, *Papal Revenues*, II, 42; *Collectorie* 227, fols. 35v., 112; 13, fol. 38v.

⁷ Assessed at an English mark by papal collectors: Lunt, *Papal Revenues*, II, 42.

⁸ Thorpe, *Reg. Roffense*, pp. 666, 667. Though this bull established the census, the exemption may have been granted earlier. In a privilege issued to the prior and convent of Tonbridge on 19 December 1191, Celestine III said: 'Cum ecclesia vestra specialiter ad ecclesiam Romanam pertineat.' A bull of Innocent III, dated 5 January 1201, leaves no doubt that it was Celestine III who received Tonbridge into the immediate ownership and protection of the apostolic see. Both bulls are found in Exch. K. R. Eccl. Docs., 15/17, m. 2.

⁹ Theiner, *Vet. Mon. Slavorum Meridionalium*, I, 62, no. 244.

The collectors, however, were informed of the obligation. They received census from the monastery during the fourteenth century,¹ and Iterius de Concoreto had occasion in 1331 to excommunicate the prior and convent in order to force them to render the amount due.² In the early years of the sixteenth century Tonbridge was still entered in the register of the papal collector among the houses from which census was due.³

The monastery of Royston obtained from Celestine III, on 29 July 1192, a protection for which it agreed to pay census.⁴ In 1184 it had received a protection from Lucius III, but the document contained no reference to census.⁵ Since the house was not established until the reign of Henry II,⁶ no doubt exists that the payment of census was instituted by Celestine III. His privilege did not take Royston into the ownership of St Peter or give to the monastery any exemption. It merely provided protection in sign of which Royston was to pay three gold aurei annually.

This payment, which amounted to six shillings, soon dropped into desuetude. It was not recorded in the *Liber Censuum*, and within less than a century it had escaped the attention of the papal camera. It was omitted from the list with which Martin IV supplied his collector in 1282, and none of the reports of later papal collectors contained mention of Royston as owing or paying census.

The monastery of Tavistock was also made a payer of census by Celestine III. In a privilege issued on 29 May 1193 he confirmed its position in the right of the Roman church and fixed the census, which was to be paid as an indication of liberty, at three aurei annually.⁷ The maintenance of the exemption is attested by the papal confirmation of the election of the abbots. After 1215 the abbots of monasteries which were under the immediate jurisdiction of the apostolic see were required to secure the confirmation of their elections by the pope.⁸ An abbot of Tavistock who received papal confirmation in 1327,⁹ was fined 500 marks when he presented his bull of confirmation to the king, because it contained words prejudicial to the crown. He was subsequently pardoned the fine, because in other similar cases of the preferment of abbots of Tavistock at the Roman court nothing had been exacted on account of the prejudicial words.¹⁰ In 1514, however, the abbot of Tavistock failed to establish his

¹ Lunt, *Papal Revenues*, II, 42; *Collectorie* 227, fols. 35, 111^v.

² Bodleian Library, MS. Kent Roll 6, entries r, pp, qq.

³ MS. Ottoboniano Latino 2948, fol. 45^v.

⁴ Holtzmann, *Papsturkunden*, I, 608.

⁵ *Ibid.*, I, 494.

⁶ Dugdale, *Monasticon*, VI, 404.

⁷ Dugdale, *Monasticon*, II, 498; Oliver, *Monasticon*, pp. 95, 96.

⁸ Lunt, *Papal Revenues*, I, 83, 84.

⁹ *Oblig. Reg.* 10, fol. 48.

¹⁰ K. R. Memo. Roll 108, mms. 28, 28^v.; Pipe Roll 175, m. 27^v.

right to freedom from the jurisdiction and right of visitation of the ordinary. The archbishop of Canterbury and the bishop of London, who were accepted as arbitrators by the bishop of Exeter and the abbot, handed down the opinion that the abbot had failed to produce before them any papal bull or proof of prescription sufficient to establish his claim of exemption.¹ It was doubtless for this reason that in 1517 the privilege of Celestine III was renewed and enlarged by Leo X.² Eight years later another bishop of Exeter formally acknowledged the exemption of the abbey, and the abbot agreed to make certain payments regularly to the bishop in compensation for his loss of jurisdiction.³

Though the abbey maintained its exemption throughout the period under consideration and apparently did not lose it until 1514, it appears either at an early date to have stopped payment of the census prescribed in the privilege of 1193 or never to have paid it before the renewal of the privilege in 1517. Tavistock did not attain the honor of being enrolled in the *Liber Censuum*, nor was it included in the list of 1282. The papal collectors of the fourteenth century neither charged anything against the monastery nor received anything from it for census. Even the list of Peter Griphus, though it included Laund which was unknown to collectors of the fourteenth century, omitted Tavistock.

The monastery of Carlisle was made responsible for the annual payment of one silver mark of census by Innocent III in 1201.⁴ The privilege does not appear in the extant portions of Innocent's registers, and it is known only by a later brief summary of it. Unfortunately the summary does not indicate whether the census was to be paid as a sign of exemption or protection.⁵ From a later inventory of privileges conferred upon the monastery by Innocent III in 1201 it may be inferred that the privilege did not grant exemption,⁶ and the later relations of the bishops of Carlisle with the prior and canons substantiate the inference that no exemption existed.⁷ Apparently the privilege gave to the chapter only protection.

The indebtedness of Carlisle was noted in the *Liber Censuum* and in the letter of 1282. The collectors of the fourteenth century received the

¹ Exeter Diocesan Registry, Reg. of Oldham, fols. 176v., 179, 179v.

² 18 September: Oliver, *Monasticon*, p. 103.

³ Exeter Diocesan Registry, Reg. of Veysey, II, fols. 42v.-47v.

⁴ *Liber Censuum*, I, 226, n. 2.

⁵ The formula beginning 'ad indicium,' as quoted by Fabre from Arm. 50, vol. IV, omits the critical word which tells the story: *Liber Censuum*, I, 126, n. 2. The summary in a register of Innocent IV also leaves this point in obscurity: *Regs. d'Innocent IV*, 4220.

⁶ Made in the time of Innocent VI (1352-62): Theiner, *Vet. Mon. Slavorum Meridionalium*, I, 56, nos. 22-25.

⁷ *Reg. of Halton*, I, 223-26, 297, 298, 301.

annual mark with reasonable regularity, and the census of the monastery was still an active account at the beginning of the sixteenth century.

The priory of Bodmin in Cornwall obtained a privilege from Innocent III on 8 July 1203. It placed the priory under the protection of the Roman church and arranged for the annual payment of a bezant in acknowledgment thereof.¹ In the *Liber Censuum* the amount was entered as one melechinus.² Whatever coin Bodmin may have been expected to pay, the papal collectors were satisfied with two English shillings.³

The church of Scarborough in Yorkshire was first assessed to census on 20 February 1229.⁴ The circumstances were exceptional. In 1198 Richard I, with the approval of his brother, the archbishop of York, gave the church to the abbey of Citeaux. In 1229 Gregory IX confirmed the gift, took the church under the protection of the apostolic see, and imposed upon the monastery of Citeaux a census of a gold obol each year in addition to the annual census of a mark which it owed already for its own privilege.⁵

The entry of this item in the *Liber Censuum* caused some difficulty. Before 1236 it was noted under the diocese of York that the house of Citeaux owed a mark sterling each year for the church of Scarborough.⁶ This was evidently a confusion of the amount which Citeaux owed for itself with the amount which it owed for Scarborough. After 1236 the amount was corrected to one masmotin obol, and the item was repeated under the monastery of Citeaux with a fuller explanation. In this entry the amount was said to be a gold obol.⁷ Whatever the original coin may have been, the papal collectors regularly accepted fifteen pence in lieu of it. The abbey of Citeaux shifted the responsibility for the payment to the church of Scarborough itself, and the English collectors of the papal census received the payment from 1317 onward,⁸ and probably during the thirteenth century as well.

The priory of Great Malvern was recorded in the *Liber Censuum* as indebted for a census of one gold mark annually.⁹ No trace of the privilege which instituted the census has appeared. According to the local tradition of the thirteenth century,¹⁰ the community at Great Malvern

¹ Migne, *Patrologia*, ccxv, 132, 133.

² I, 224.

³ *Collectorie* 227, fols. 35^v., 112.

⁴ *Liber Censuum*, I, 189.

⁵ *Regs. de Gregoire IX*, 272; *Liber Censuum*, I, 189. The privilege, being only a protection, did not exempt Scarborough from episcopal visitation: *Reg. of Corbridge*, I, 156.

⁶ I, 226.

⁷ I, 189.

⁸ Lunt, *Papal Revenues*, II, 42; *Collectorie* 227, fols. 36, 112^v.; MS. Ottoboniano Latino 2948, fol. 47.

⁹ I, 225.

¹⁰ *Reg. of G. Giffard*, II, 178.

was formed originally by a band of disciples who gathered about a hermit dwelling there during the reign of Edward the Confessor. The hermit finally organized a priory, probably during the reign of William I,¹ and placed it in subjection to Westminster.² Adrian IV later confirmed the subjection of Great Malvern in complete right to the abbot and convent of Westminster.³ The terminus after which the census must have been created may thus be placed somewhere in the reign of William I, and the entry of the item in the *Liber Censuum* after 1236 establishes a strong probability that the census was first arranged after that date. The date before which the census was instituted is more elastic in its probabilities. The omission of Great Malvern from Martin's list of 1282,⁴ which was copied from the *Liber Censuum*,⁵ might indicate either that it had not been entered in the *Liber* before 1282 or that it had ceased to pay census before that date. The latter alternative seems the more probable. The entry is without date, and when new items were entered after 1282 the date or the pontificate when the payment was instituted was nearly always noted. There is, moreover, no indication that Great Malvern paid census after 1282. The itemized reports of the English collectors of census, which begin in 1317 and are extant for the better part of the next fifty years, contain no mention of Great Malvern, and it is omitted from the list compiled by Peter Griphus early in the sixteenth century. Some payers of census continued after collectors were established to render their payments to the papal camera, but the cameral registers of the fourteenth and fifteenth centuries in which receipt of such payments was entered are equally silent about Great Malvern. It seems reasonably certain that the priory did not pay census after 1316, and probable that it had stopped payment before 1282. The probable dates for the beginning and the end of the render of census by Great Malvern are thus set between 1236 and 1282, though neither date is unimpeachable. The lapse of a payment of census so soon after its establishment is not without parallel in the history of other English payers of census.

The privilege granted to Great Malvern probably did not give it exemption or take it into the ownership of St Peter. In 1282 the attempted visitation of the monastery by the bishop of Worcester led to the asser-

¹ The editors of Dugdale's *Monasticon* put the date about 1083: III, 440.

² *Reg. of G. Giffard*, II, 178.

³ 25 May [1157]: Holtzmann, *Papsturkunden*, I, 320.

⁴ *Cal. Pap. Regs. Letters*, I, 475, 476. The editor of the *Calendar* indexes 'Maluebien,' which occurs in the list under the diocese of Lincoln, as 'Malvern,' but comparison with the *Liber Censuum* shows that it is Malmesbury misplaced. The amount of census is correct for Malmesbury, but wrong for Malvern.

⁵ The letter states that the names and amounts are given as they appear in the 'Provinciale.' This was another name for the *Liber Censuum*: Fabre, *Étude*, p. 5.

tion of a right of the priory to be exempt from episcopal jurisdiction. In the numerous documents which flowed from the controversy, no reference was made to a claim of exemption based on a papal privilege issued to the priory itself.¹ The case was fought for the priory by the abbot of Westminster on the ground that Westminster with all its cells and priories, including Great Malvern, was 'exempt from diocesan law and ordinary jurisdiction.'² It was the inspection of apostolic letters to that effect which caused the bishop to give up the contest and acknowledge the exemption of the priory.³ It appeared during the controversy that the bishops of Worcester, beginning at least as early as 1165, had on various occasions during the following century exercised diocesan jurisdiction over the priory.⁴ The privilege which constituted Great Malvern a payer of census did not, therefore, confer exemption from episcopal jurisdiction,⁵ unless the monks had remarkably short memories or followed the extraordinary course of not using it against the bishop. The papacy did not receive the monastery into the proprietary right of St Peter, because both Adrian IV and Alexander III had already confirmed the possession of the priory by Westminster.⁶

Establishment of the date when Bury St Edmunds began to pay census is a still more complicated problem. This ancient abbey was described in a privilege of Alexander III, which was expedited on 22 May 1175, as belonging 'ad ius et disposicionem beati Petri et nostram specialius.'⁷ This formula varies slightly from the customary 'ad ius et proprietatem,' but in another privilege of the same pope the monastery was said to pertain 'ad proprietatem et disposicionem sacrosancte Romane ecclesie.'⁸ Furthermore, a privilege of Lucius III, dated 31 March 1182 or 1183,

¹ *Reg. of G. Giffard*, II, 164-68, 171-73, 175-89, 193, 196, 198-203, 208, 210, 211, 213, 218-21.

² Several of the genuine privileges and one forged privilege of Westminster conferred exemption from episcopal jurisdiction upon the monastery itself, and two genuine privileges declared Great Malvern subject to Westminster: Holtzmann, *Papsturkunden*, I, 217, 229, 241, 244, 286, 321, 325, 364, 379, 415.

³ *Reg. of G. Giffard*, II, 219.

⁴ *Ibid.*, II, 198, 199.

⁵ The priory had also opposed visitation by the archbishop of Canterbury in 1282. We do not know how this controversy ended, but later archbishops of Canterbury visited the house without opposition: Churchill, *Canterbury Administration*, I, 302, 306, 323, n. 2.

⁶ Holtzmann, *Papsturkunden*, I, 320-28, 364-66.

⁷ *Pinchbeck Reg.*, I, 10, 11.

⁸ Dated Tusculum, 15 August: *ibid.*, I, 11, 12. The year may have been 1171, 1172, 1178 or 1180. Other formulae in the bulls of Alexander read: (1) 'eadem ecclesia [i.e. Bury] nullum habens preter Romanum pontificem Episcopum vel magistrum ad proprietatem et disposicionem sacrosancte Romane ecclesie noscitur spiritualius [for specialius?] pertinere'; (2) 'monasterium . . . ad jurisdictionem beati Petri et nostram atque disposicionem et tutelam sacrosancte Romane ecclesie specialius pertinere dinoscitur'; and (3) 'monasterium . . . ad jurisdictionem beati Petri et nostram nullo mediante pertineat': *ibid.*, I, 8-15.

stated that Bury St. Edmunds 'beati Petri iuris existit,'¹ and this phrase was commonly used in papal documents to designate monasteries in the ownership of St Peter.² In the last quarter of the twelfth century Bury St Edmunds was unquestionably regarded as exempt from episcopal jurisdiction and in the ownership of St Peter.

When the abbey was placed in this legal position is somewhat uncertain. The earliest papal privilege to Bury known to be extant was issued on 27 October 1071.³ It was obtained by Abbot Baldwin, who, with the approval of William I, went to Rome to sue for it.⁴ His action was taken for the primary purpose of stopping the encroachments which Arfast, bishop of Thetford, was attempting to make upon the rights of the monastery. The bishop wanted to convert the church of Bury into a cathedral for his episcopal see,⁵ and apparently he had designs upon some of the property of the monks as well.⁶

The contents of the privilege leave much to be desired in the way of clarity. The preamble, which in bulls of this type often defined the relation of the recipient house to the papacy, as it was established in the body of the bull or had been established at an earlier time, is disappointingly vague.⁷ It implied that Bury was not content to occupy the relationship to the apostolic see of an ordinary church, but was, to the contrary, one of those churches 'which desire to be commended to the sole protection of the holy Roman church and to be submitted and attached to its special right.'⁸ For that reason the pope grants the privileges which follow. The word 'commendari' and the phrase 'proprie ejus juri' in the formula were typical of papal letters which dealt with monasteries surrendered to the ownership of St Peter.⁹ Since Bury St Edmunds wished to assume the relationship at that time, the relationship had not existed previously. The desire of the monastery being the reason for the grant, a presumption is created that the privilege was issued for the purpose of establishing that relationship.

¹ *Ibid.*, I, 18, 19.

² Fabre, *Étude*, p. 83, n. 3.

³ Dugdale, *Monasticon*, III, 101; *Memorials of St. Edmunds*, I, 345; *Pinchbeck Reg.*, I, 3; Migne, *Patrologia*, CXLVI, 1363; Cotton MS. Cleop. E I, fol. 54^v.; Addit. MS. 14847, fol. 3.

⁴ Chronicle by a monk of Bury who wrote early in the twelfth century: *Memorials*, I, 345. Also related in the privilege.

⁵ *Memorials*, I, 345. The grant in the privilege that Bury could not be converted to an episcopal see bears out the chronicler. See Galbraith, 'East Anglian See,' *E.H.R.*, XL, 222-28.

⁶ *Memorials*, I, 345; Davis, *Reg.*, nos. 138, 139; Migne, *Patrologia*, CL, 527.

⁷ Compare it, for example, with the preamble of the bull granting exemption to Malmesbury: *Reg. Malmesburiense*, I, 346.

⁸ 'Quae in singulare patrocinium sanctae Romanae ecclesiae commendari ac proprie ejus juri applicari ac submitti cupiunt.'

⁹ See, for example, Fabre, *Étude*, pp. 34, 35, 38, 39, 69, 77, 83, n. 3; Blumenstok, *Der päpstliche Schutz*, p. 68.

The terms of the grant, though they do not run counter to the supposition, give it little positive substantiation. Nothing was said of the founder or patron having given the monastery to St Peter. King William's wish that the Roman church should give the monastery protection was mentioned, and it is conceivable that he endowed St Peter with the monastery in order to obtain it. Canute was reputed to have removed the seculars from Bury, put monks in their places, and granted to them extensive privileges.¹ William, who stressed his right to exercise the powers which his predecessors on the throne had possessed, may have regarded himself as heir to whatever rights Canute enjoyed as founder of the monastery. If, however, he utilized this right in order to transfer the ownership of the monastery to the Roman church, failure to mention the gift in the privilege was an exception to the customary form of such documents in this period,² though not an unique exception.³

The privileges granted by the letter were of the type commonly conferred upon monasteries belonging to St Peter, with the exception of the concession that the monastery could not be converted by any authority into an episcopal see, which is explained by the peculiar nature of the episcopal aggression threatening the monks of Bury at the time. Aside from this special clause, however, all the privileges were of types enjoyed by some monasteries which were not in the ownership of St Peter.⁴ By the terms of the concession Bury St Edmunds was taken into the protection of the Roman church. No king, duke, earl, bishop, abbot or other ecclesiastical or secular person was permitted to disturb the brothers or to alienate, take away, disturb or hold without permission of the abbot any property of the abbey without incurring the penalty of anathema.

The monastery was also given episcopal exemption by a clause which confirmed any gifts of things or liberty made to it by kings, 'saving the canonical reverence of the archbishop.'⁵ This saving clause is omitted from one copy of the privilege,⁶ and in another the reverence which was saved is that of the apostolic see.⁷ Apparently it referred to the charters of Anglo-Saxon kings which had granted to the monastery exemption not

¹ *Memorials*, I, 341; Dugdale, *Monasticon*, III, 99, 135; Davis, 'Liberties of Bury,' *E.H.R.*, XXIV, 417, 418; Kemble, *Codex*, IV, 231 (no. 895).

² Above, pp. 85, 86; Fabre, *Étude*, pp. 70, 76-78. It is mentioned in a privilege granted to another house in the same year: Jaffé, *Reg.*, 4691; Blumenstok, *Der päpstliche Schutz*, p. 62.

³ Fabre, *Étude*, pp. 67, 69.

⁴ See, for example, other privileges granted by Alexander II: Migne, *Patrologia*, CXLVI, 1339-41, 1355-63.

⁵ 'Salva primatis episcopi canonica reverentia.' In Addit. MS. 14847, fol. 3, the clause was interpolated by a hand later than that of the document.

⁶ *Pinchbeck Reg.*, I, 4.

⁷ *Memorials*, I, 346.

only from secular but also from episcopal jurisdiction. A charter of Canute which purports to convey the latter privilege to the monks¹ is generally regarded as a forgery,² but Edward the Confessor, asserting that he was giving to the church of St Edmund freedom like that conferred upon it by Canute and Harthacanute, declared it exempt from episcopal jurisdiction.³ These exemptions granted by Canute and Edward were acknowledged in a document which purports to have come from the chancery of William I.⁴ The assumption by lay authority of power to give exemption from the spiritual jurisdiction of a bishop seems strange, and the confirmation of such a grant by a pope of the Hildebrandine era still stranger.⁵ The papal confirmation of forged royal and papal documents was not uncommon,⁶ but papal acknowledgment of the power of a layman to exempt from spiritual jurisdiction is a bird of another feather. Yet the possibility that Alexander II confirmed any liberties granted to Bury St Edmunds by kings without specific knowledge of the nature of the liberties seems to be eliminated by the qualifying clause which saves the jurisdiction of the archbishop. The limitation would have been pointless, unless the main clause was deemed to confer exemption from episcopal jurisdiction.⁷ This interpretation receives confirmation from a story told by Eadmer, who wrote a few years later. He related that Herbert, Arfast's successor, when he went to Rome in 1101 as a member of the royal embassy,⁸ intended to try to recover the spiritual jurisdiction⁹ over Bury which had been taken away a few years earlier by

¹ Kemble, *Codex*, iv, 15-18 (no. 735); *Memorials*, i, 342-44. This charter was confirmed by Edward II: Dugdale, *Monasticon*, iii, 137. The earlier charter of Edmund did not grant exemption from episcopal jurisdiction: Kemble, *Codex*, ii, 258 (no. 404).

² Kemble, *Codex*, iv, 15; Davis, 'Liberties of Bury,' *E.H.R.*, xxiv, 418; Douglas, *Feudal Documents*, p. cix, n. 5.

³ Kemble, *Codex*, iv, 231 (no. 895); Davis, 'Liberties of Bury,' *E.H.R.*, xxiv, 418. The document is accepted as genuine by both Kemble and Davis.

⁴ Douglas, *Feudal Documents*, pp. 51, 52. Davis rejects the document as spurious: *Reg.*, no. 137. Douglas, who has discovered an earlier copy, finds that in it some of the errors in the list of witnesses, which constituted an important part of Davis's reasons for its rejection, do not exist. He is inclined to accept it as authentic: *Feudal Documents*, pp. xxxii-xxxiv. The nature of the content, however, seems to me to give ground for suspicion. A king had no power to grant exemption from the spiritual jurisdiction of a bishop. Kings who desired such exemption for their monastic foundations ordinarily obtained it from the papacy. Douglas denies any purpose in the forgery of the document, since the abbey was already possessed of a genuine document: his no. 8, p. 55; Davis, *Reg.*, no. 138. This document, however, says nothing of exemption from episcopal jurisdiction, which was a common cause of monastic forgeries.

⁵ The earliest known subsequent papal privilege, granted by Calixtus II in 1123, confirmed liberties granted by kings, but in the next sentence limited the grant to liberty 'ab omni secularium iugo' as William found it and confirmed it: *Pinchbeck Reg.*, i, 19.

⁶ Above, pp. 88, 92, 106.

⁷ On the use and significance of this formula see Schreiber, *Kurie und Kloster*, i, 56-63.

⁸ Above, p. 36.

⁹ 'Curam Christianitatis.'

the papal privilege obtained by Baldwin, which freed the monastery from subjection to any bishop, 'saving obedience to the primate.'¹ Since Herbert and Arfast accepted the privilege as warrant for the exemption of the monastery from their jurisdiction, the clause may be assumed to have been inserted by the papal chancery and not by the monks of Bury.²

The principal aspect of the privilege which militates against the view that it recognized the monastery as the property of St Peter is the lack of any mention of census. If Bury St Edmunds had been placed in the proprietary right of the apostle before 1071, the omission would be explicable, but the description of the monastery in the preamble as one of those desiring to establish this relationship seems to exclude this possibility. Yet failure to mention the census in a bull creating the relationship at this date is improbable.³ In the twelfth century both Waltham and Westminster became properties of St Peter without assuming any responsibility for the payment of census,⁴ but in 1071 the older view that the eminent domain of St Peter was indicated by the payment of census still prevailed.⁵ It is probable both that Bury St Edmunds did not come into the possession of St Peter until the twelfth century, when the relationship was no longer necessarily associated with census, and that it did not assume any obligation to pay census in 1071 or before.

The next papal privilege received by Bury St Edmunds after that of 1071 came from the chancery of Calixtus II in 1123.⁶ It was followed by a long line of successors. In the twelfth century there was one from Lucius II,⁷ two from Eugenius III,⁸ two from Adrian IV,⁹ fifteen from

¹ *Historia*, p. 132. Eadmer recorded that the privilege displeased Lanfranc. See also Brooke, *English Church*, pp. 130, 131.

² It would have been difficult to interpolate the clause in the original without detection, and Arfast would hardly have accepted a copy as evidence. If the bull was a forgery or the clause an interpolation, the fraud would have been discovered in 1101, when Herbert brought the question of exemption before the pope, unless another bull, now lost, granted exemption. The omission of the clause in one of the copies now extant was probably the error of a copyist. Gregory VII, on the other hand, spoke only of the protection (*tutela*) which Alexander II gave Baldwin and his monastery, when, on 30 November 1073, he asked Lanfranc to dispose of the claim by which Arfast was disquieting Bury: Migne, *Patrologia*, cXLVIII, 314; Emerton, *Correspondence*, p. 19.

³ Above, p. 86. Another privilege issued in 1071, which uses the same formula of protection, has a clause about census associated with it: Blumenstok, *Der päpstliche Schutz*, p. 62. See also Fabre, *Étude*, pp. 67, 68.

⁴ Above, p. 106.

⁵ Above, pp. 85-87.

⁶ Issued between 25 May and 7 June: *Pinchbeck Reg.*, I, 19. That no privilege was granted between 1071 and 1123 is rendered probable by the silence of later privileges which recount the popes who had previously given privileges to the abbey.

⁷ 1144 or 1145: *Pinchbeck Reg.*, I, 18.

⁸ 19 June 1147 and 11 March 1150: *ibid.*, I, 20-22.

⁹ 4 May 1155 and one without date: *ibid.*, I, 22-24.

Alexander III,¹ one from Lucius III,² five from Urban III,³ one from Clement III,⁴ and three from Celestine III.⁵ In the thirteenth century Innocent III, Honorius III, Gregory IX, Innocent IV, Alexander IV and Nicholas III showered the monastery with forty new privileges or confirmations of old ones.⁶ By that time Bury possessed all in the way of privilege that the heart of the most ambitious monk could desire. Yet in all this welter of privileges no mention of census occurs.

Bury St Edmunds was omitted from the list of English payers of census in the *Gesta Albini*, and it found a place in the *Liber Censuum* only after 1236.⁷ All of which we can be certain is that the monastery had undertaken to pay annually a mark sterling for census before 15 March 1282,⁸ and that it continued to pay census thereafter for the remainder of the middle ages.⁹ The probability that it began to pay census in 1071 or before is remote, that it began to pay between 1071 and 1236 not very high, and that it began to pay between 1236 and 1282 very high indeed.

During the century following the establishment of the census of Scarborough, only two English monasteries other than Great Malvern and Bury St Edmunds contracted for the first time to pay census to the apostolic see. Both assumed the obligation during the pontificate of Boniface VIII.

The abbess and nuns of the order of St Clare enclosed in the monastery of St Mary without Aldgate, London, which was founded by Edmund, the king's brother, in 1293, were granted a privilege by Boniface VIII on 31 August 1295. It took the monastery into the right and ownership of St Peter, exempted it from the jurisdiction of the bishop of London and the archbishop of Canterbury, and arranged for it to pay subsequently an annual census of a pound of wax as a sign of liberty.¹⁰ Though the ownership of the monastery may have been conveyed to St Peter by the founder, the privilege did not mention it. The nuns compounded the payment with the papal collector for six pence a year, and this sum they continued to pay for the remainder of the middle ages.¹¹ The monastery

¹ 1159–1181: *ibid.*, 4–16. For the dates see Holtzmann, *Papsturkunden*, I, 160.

² 31 March 1182 or 1183: *Pinchbeck Reg.*, I, 18, 19.

³ Three dated 29 December 1185 or 1186, and two undated: *ibid.*, I, 24–28.

⁴ 1187–1191: *ibid.*, 30, 31.

⁵ One dated 10 May 1192 and two undated: *ibid.*, I, 28–30; Addit. MS. 14847, fol. 70.

⁶ *Pinchbeck Reg.*, I, 16–18, 31–53.

⁷ *Liber Censuum*, I, 225; II, 121.

⁸ *Cal. Pap. Regs. Letters*, I, 476.

⁹ E.g., Lunt, *Papal Revenues*, II, 42; *Collectorie* 227, fols. 35^v., 112.

¹⁰ *Regs. de Boniface VIII*, 457; *Pothast, Reg.*, 24176; *Sbaraleae, Bullarium Franciscanum*, IV, 365, 366.

¹¹ Lunt, *Papal Revenues*, II, 42; *Collectorie* 227, fols. 35, 111^v.; MS. Ottoboniano Latino 2948, fol. 44^v.

was never added to the *Liber Censuum*, though many houses which became payers of census at a later date were duly recorded there.

The monastery of St Augustine's at Canterbury acquired all privileges which a payer of census to the apostolic see might enjoy long before it began to pay census. Its privileges were based upon an exceptionally large number of forgeries. The monks of St Augustine's could be rivalled for their successful accumulation of false papal privileges by the monks of no other English house except Westminster, although on one occasion they were caught at their nefarious practices. A few years before 1155 a monk in the French monastery of Saint-Mard confessed to his abbot that he had fabricated an apostolic privilege for St Augustine's. The abbot, after he had become bishop of Châlons, informed the archbishop of Rouen, who wrote to Adrian IV about it. Finally the bishop of Evreux examined the document, pronounced it false, and had it burned.¹ The loss of one forged document, however, was of small moment to the monks of St Augustine's, for they had a bountiful supply left. These they had already used effectively when they came early into the field with authentic privileges. On 3 March 1120, Calixtus II, professing to follow in the footsteps of his predecessors, Boniface IV, Adeodatus, Agatho and John XII, gave to the monastery protection of the temporal type and confirmed all that his predecessors had granted.² The privileges of all the popes whom Calixtus II named lacked authenticity,³ but the papal confirmation of them rendered them valid until they should be proved forgeries. The privilege of Agatho pronounced St Augustine's exempt from the authority of any except the Roman church.⁴

With such a complete exemption for their first authentic privilege, it was easy to extend the scope of subsequent grants. Innocent II (1130–43) described the monastery as in the ownership of St Peter, and ascribed to it a liberty.⁵ Henry, bishop of Winchester and papal legate, and Robert, bishop of Hereford, having been delegated by the pope as judges to decide a suit between the abbey and the archbishop of Canterbury, in 1143 handed down a judgment in which they said they 'had learnt in the privileges of the Roman pontiffs which protect the monastery of St Augustine as the special property of the apostolic see, that it was subject to the sway of no one else.'⁶ Eugenius III confirmed the privilege of Inno-

¹ *Lit. Cantuarienses*, III, 366, 367.

² Holtzmann, *Papsturkunden*, I, 231–33.

³ *Ibid.*, I, 231; Jaffé, *Reg.*, 1997, 2104, 2105a, 3678; Haddan and Stubbs, *Concilia*, III, 123–25; Boggis, *History of St. Augustine's*, pp. 53, 54.

⁴ Haddan and Stubbs, *Concilia*, III, 125.

⁵ Thorne, *Chronicle*, trans. by Davis, pp. 71, 72.

⁶ Thorne, *Chronicle*, trans. by Davis, p. 75.

cent II,¹ and so the stream of new privileges and confirmation of old ones continued through the twelfth century and far into the thirteenth.²

The archbishops of Canterbury were not content to lose entire control of the monastery, and they raised various issues which led to litigation during the twelfth century. The decisions were not uniformly in favor of the monastery,³ but the general outcome was to assure to St Augustine's a very large degree of exemption from the control of the archbishop.⁴ Thus St Augustine's was winning its liberty contemporaneously with Malmesbury and St Albans. When Archbishop Richard wrote to Alexander III complaining of the exemption of Malmesbury,⁵ he took the opportunity to add a few words of bitterness with regard to the exemption of St Augustine's.⁶

Because payment of census was not one of the issues involved in the contests between the archbishops and the monastery, it is not necessary to follow the course of the litigation. Some aspects of the controversy, however, were significant in relation to the due. During its course Henry II heard that Abbot Roger had bound the monastery to pay ten gold marks of annual census to the papacy. As a consequence, if the news received by Alexander III was accurate, he caused the abbot to feel his displeasure.⁷ This incident, taken in conjunction with the remark made by the same king concerning the census of St Albans, makes clear his opinion that the institution of papal census in his realm was derogatory to the royal dignity. His objection to the census may explain why the movement among English religious houses to become payers of census to the apostolic see declined so notably during his reign. Alexander III hastened to assure Henry II that the rumor was false, asserting that Roger had never so much as suggested arranging a payment of census.⁸ He added that it was 'not the custom of the Roman church to decree census of this kind or to burden any church in such a manner.'⁹ Since he could not have intended to deny that the Roman church had made many monasteries payers of census, he apparently meant that the Roman

¹ *Ibid.*, p. 80.

² *Ibid.*, pp. 65-342; Holtzmann, *Papsturkunden*, I, 248, 468-76, 575-81, 591, 592, 598, 599, 626, 627, 631-39.

³ *Lit. Cantuarienses*, III, 364, 365.

⁴ The controversy can be followed in Thorne, *Chron.*, trans. by Davis, pp. 69-133; Gervase of Canterbury, *Opera*, I, 77, 136, 139, 148, 163-65, 274-76, 278, 296, 302, 303, 326.

⁵ Above, p. 93.

⁶ Migne, *Patrologia*, cc, 1458, 1459.

⁷ Thorne, *Chron.*, ed. Twysden, p. 1826; trans. by Davis, p. 109.

⁸ Gervase of Canterbury asserted that Roger did make his church tributary to the pope: *Opera*, I, 275.

⁹ 16 February 1179: Thorne, *Chron.*, ed. Twysden, p. 1826.

church never forced monasteries to become payers of census. Those who undertook the obligation did it voluntarily at their own initiative, because they derived advantages from the relationship thus established.¹ He may also have been bringing to Henry's attention the alleged amount of the payment. The sums paid for census were invariably small, doubtless because they were symbolical of the purely formal ownership of St Peter in much the same manner that the services in petty serjeanty were indicative of a nominal lordship. Ten marks of gold would have been an extraordinarily heavy payment of census.

Another incident illustrates how the memory of papal privileges might be lost in a monastic community. Archbishop Richard, in the course of the quarrel, challenged the authenticity of the privileges of the community. The pope appointed delegates to examine them. A group of the monks who brought the documents before the judges in 1181, when asked to produce those of Popes Adeodatus and John, replied that they did not know whether or not the convent possessed such privileges.²

The privilege by which St Augustine's became a payer of census was sought on account of renewed quarrels with the archbishops in the closing years of the thirteenth century. They began with Pecham in 1289 and continued with Winchelsea. The monks felt that they were handicapped by agreements made with archbishops in 1182 and 1234 which limited somewhat their existing exemption. They therefore asked the pope to restore it to its pristine vigor.³ This Boniface VIII did in a bull dated 26 February 1300. It gave to the monastery and its possessions complete exemption from the jurisdiction which the archbishop might possess as metropolitan, diocesan, legate or protector, and also from the jurisdiction of the chapter. In evidence of this Roman liberty the monastery was to pay census of one mark sterling each year.⁴

This item of census was never added to the *Liber Censuum*. The mark was not delivered to the papal collector in England, as was the custom in 1300, but was rendered to the apostolic camera, as had been the older practice. It was not paid annually, but at irregular intervals. In 1302 the amount due for two years was delivered,⁵ and in 1309 the amount due for three years.⁶ The latter payment was rendered at the same time as

¹ This interpretation of the meaning of Alexander's statement is based upon a letter written by him to the monks of Lagny: Fabre, *Étude*, p. 110.

² Holtzmann, *Papsturkunden*, I, 470-77. Gervase of Canterbury gave an account of this hearing in which he voiced suspicion of the authenticity of the privileges produced: *Opera*, I, 296.

³ Thorne, *Chron.*, trans. by Davis, pp. 304-35.

⁴ *Regs. de Boniface VIII*, 3466; Thorne, *Chron.*, ed. Twysden, pp. 1971-74; Dugdale, *Monasticon*, I, 129, 130. A copy in Harl. MS. 3977, fol. 73, is dated 1299.

⁵ Theiner, *Codex*, I, 362; Introitus et Exitus 5, fol. 2.

⁶ *Reg. Clementis V*, app. I, 293, no. 396; Introitus et Exitus 75, fol. 1v.

the visitation tax which the abbey owed every three years.¹ Possibly payment of the census at triennial intervals was adopted on account of the convenience of transmitting both dues at the same time, but the actual result was the cessation of the render of census. The visitation tax was always paid, though sometimes with irregularity,² but the cameral registers contain no record of the receipt of census from St Augustine's after 1309. In 1372 and again in 1375 the census was entered as paid for three years, but the amount received on each occasion was that of the visitation tax.³ The entry of the payment as census was due to a confusion of terms common among the officials of the camera at the time. In 1357, for example, the visitation tax paid by the archbishop of Bourges received the caption: 'Census sive visitatio.'⁴ In 1329 the English collector reported to the camera that the abbot of St Augustine's claimed to have paid the mark for the census of that year at the papal camera,⁵ but no such payment appears in the cameral accounts for that year,⁶ and its render may be regarded as extremely doubtful.⁷ Aside from this note made by the collector in 1329, no mention of the census due from St Augustine's appeared in the reports of papal collectors. The payment of census by St Augustine's ceased within a few years of its institution.

If the papal privileges which cannot be dated exactly were issued at the dates suggested above as probable, the course of the movement among English monasteries to become payers of census to the apostolic see previous to 1327 may be summarized as follows. Malmesbury took the initiative in 1142, and it was followed by St Albans and Faversham before the close of Stephen's reign. The first two of these houses were actuated by the desire to obtain exemption from episcopal jurisdiction. Henry II frowned upon the payment of census by English monasteries, regarding it as prejudicial to the royal authority, and his attitude may have caused the movement to lose its original impetus. Laund and Chertsey were the only monasteries to subject themselves to the render of census for the first time during his reign. The former secured only protection, but the latter received exemption. The movement was renewed in 1192 with fresh vigor. Within the next twelve years more English monastic communities assumed the obligation of census than in any other period of

¹ Below, pp. 483-85.

² Below, pp. 485.

³ *Collectorie* 464, fol. 150; *Oblig.* 42, fol. 36v.

⁴ *Introitus et Exitus* 283, fol. 24.

⁵ *Collectorie* 227, fol. 34v.

⁶ The only payment in that year by St Augustine's was for the visitation tax: Göller, *Einnahmen unter Johann XXII*, pp. 84-88.

⁷ No payment was recorded during the pontificate of John XXII, and the extant registers in which such payments would have been entered are nearly — if not quite — complete for his pontificate.

similar length. Exemption was obtained by Tonbridge and Tavistock, and protection by Royston, Carlisle and Bodmin. Both Anglesey and Chacombe, which established the relationship within this period or not long after, were accorded only protection. Exemption was no longer the dominant consideration. Early in the thirteenth century the movement subsided. After 1203 Scarborough was the only church to become a new payer of census before 1236, with the possible exceptions of Anglesey and Chacombe. The census for Scarborough was really imposed upon the abbey of Cîteaux. It was paid for protection. Between 1236 and 1282 Great Malvern and Bury St Edmunds appear to have joined the group of payers of census, the former for protection and the latter for exemption. After a long interval the development ended in the closing years of the thirteenth century with the grant of exemptions by Boniface VIII to St Mary without Aldgate and to St Augustine's, Canterbury.

5. PAPAL ADMINISTRATION AND COLLECTION OF CENSUS

The documents concerned with the census paid by English monasteries cast some light upon the central administration of the revenue. Before Cencio compiled the *Liber Censuum* in 1192, the cameral records concerning census were so incomplete and so poorly arranged that some of the debtors were unknown and the papacy was suffering a loss of revenue.¹ Subsequently the camera relied mainly upon his work for the determination of the payers and the amounts which they owed. As new items of census were established, they were ordinarily noted in the blank spaces which Cencio left in the *Liber* for the purpose,² but sometimes they were overlooked. Such an omission often resulted in the loss of the item of census. Royston, Tavistock and St Augustine's appear to have escaped the payments of census for which they were liable, because they were omitted from the *Liber Censuum*, and Laund escaped because it probably was entered by an incorrect name under the wrong diocese. Omission from the *Liber*, however, did not necessarily result in a payment falling into desuetude. Tonbridge and St Mary without Aldgate paid census regularly, though they failed to find a place in the *Liber*. The camera manifestly did not rely solely on the *Liber Censuum* for its knowledge of the census, but this register, after its compilation, continued to be the principal record throughout the remainder of the middle ages. Entry in the *Liber*, on the other hand, did not insure continuance of the payment of census. Great Malvern apparently ceased to render its payment soon after it was inscribed in the register, but this instance was the only

¹ *Liber Censuum*, I, 2.

² Above, p. 107.

English one of the kind. The principal losses of English census were due to the contributory negligence of the papal camera.

This carelessness was due in part, perhaps, to mere inefficiency of organization. It was not until the fourteenth century, when the variety and the amount of the papal revenues increased notably, that the papal financial department attained its highest development.¹ Another reason for the negligence may have been the relative unimportance in the papal budget of the census paid by English religious houses. Only seventeen English monasteries and churches owed census before 1327. The only one of these which was indebted for more than a mark annually was Great Malvern. The mark of gold charged against it may be calculated as worth £5 6s. 8d.² Great Malvern, however, paid census for no more than a few years in the thirteenth century, if it ever paid at all. The remaining sixteen owed an annual total of £6 4s. 4d., and all of them never paid in any one year. In 1200, if all who had then contracted to pay census had paid it, the papacy would have received £4 3d.³ In 1300, when the list of payers as it stood in 1327 had been completed, Great Malvern, Laund, Royston and Tavistock had apparently stopped payment entirely. If the remaining thirteen debtors had paid their dues for that year, the papacy would have received £5 8s. 4d. By 1327 this sum would have been decreased by 13s. 4d. owed by St Augustine's. In 1317 the papal collector actually obtained for the census of that year £3 17s. 8d. from nine of the monasteries and churches which owed it,⁴ and the results of that year seem to have been reasonably typical of those attained in other years during the first half of the fourteenth century.

The collection of census from English payers by the papal camera previous to the thirteenth century has left little trace in contemporary documents. For a long time after protected monasteries first began to pay census, the debtors were expected to render their payments at the apostolic see. Early privileges often specified the tombs of the apostles, the altar of St Peter or the palace of the Lateran as the place of payment.⁵ After the new formula was adopted near the close of the eleventh century, the method of payment was rarely stated in the privilege, but the customary practice, which left the payer responsible for the transmission of the money to the papal treasury, was ordinarily maintained. Those who owed census sent it to the papal court by their own messengers, un-

¹ Lunt, *Papal Revenues*, I, 6-15.

² Below, app. p. 640.

³ I have included in this computation Anglesey and Chacombe which may not have begun to pay census until after 1200.

⁴ Lunt, *Papal Revenues*, II, 41-43.

⁵ Fabre, *Étude*, pp. 60, 62, 68.

less a papal representative who came to the neighborhood for other business should undertake to transport the money for them.¹ If the payer did not live near Rome, the cost of transporting the annual sum each year was likely to be far in excess of the sum itself. The natural consequence, since delay of payment did not cause any immediate loss of privilege,² was the accumulation of many arrears. In the second half of the eleventh century, after the papacy had improved its financial administration, it attempted to cope with this difficulty. Occasionally it commissioned a local prelate to collect the census due in a given region. In the twelfth century a pope sometimes sent a member of his household to exact the census from all who owed it in a particular province or country. The method was not applied continuously in any one region, nor was it applied systematically to the whole Roman catholic world at any one time.³

When English religious communities began to pay census in the twelfth century, they were probably expected to transmit what they owed to the apostolic see. No pope during the twelfth century appears to have sent a member of his household to England to collect the census or to have commissioned an English prelate for the purpose. Though the English prelates who assembled Peter's pence for dispatch to the papacy and the papal envoy who acted in that capacity once during the reign of Henry II would seem to have been natural agents to employ for the collection of census, nothing indicates that they were so utilized. Contemporary evidence illumines the subject with only a glimmer of light. On 22 December 1174, when Alexander III commissioned the bishops of London and Winchester to hear the cause between the abbot of Malmesbury and the bishop of Salisbury concerning the exemption of the monastery, he quite casually ordered the delegates to cause the census owed by the monastery to be assigned to the abbot of Saint-Germain-des-Prés near Paris.⁴ The instruction implies that no regular collector of census was stationed in England. Apparently the pope had the census of this particular monastery brought to his attention by the contest over its exemption, and seized the opportunity offered by a letter which had to be written in connection with the judicial process to take the initiative in securing one payment of census. It was a method which obviously could not be employed regularly, and its use on this occasion gives rise to the presumption that the monastery ordinarily had the initiative in forwarding its payments of census to the Roman curia. The designation of a French

¹ Lunt, *Papal Revenues*, I, 35, 37; II, 29.

² Above, p. 104, n. 6.

³ Lunt, *Papal Revenues*, I, 35-38.

⁴ *Reg. Malmesburiense*, I, 372.

monastery where the payment could be made was probably a common practice. The journey from England was so long and expensive that an English payer was not likely to undertake it every year for the render of a mark or less. A wealthy house like St Albans, which often had other business at the papal court, could usually send the census at intervals which would not be unreasonably long. St Albans, moreover, was located in a central position, where its inmates often came into contact with prelates or proctors of other houses who were departing for the papal court, but a house such as Anglesey or Tavistock would have fewer opportunities to send its census to the papal camera. Even the much larger sum of Peter's pence was often deposited in a French monastery by direction of the pope or transferred by English messengers to papal agents in France.¹ Apparently it was more or less customary in the second half of the twelfth century for the pope to establish a French monastery where English payers of census and collectors of Peter's pence could send what they owed to the apostolic see, there to await the coming of a papal agent who would convey the money to Rome.

How faithfully English monasteries maintained their payments of census during the twelfth century and the early years of the thirteenth cannot be determined very definitely. Elsewhere many payers of census fell into arrears for long periods,² and English payers appear to have followed the general trend. If the monks of Faversham had paid their census regularly before 1230, they could not have resisted the demand of the papal collector on the ground that they were not legally bound to pay census. Their story that the privilege obtained by their proctor from Eugenius III had been repudiated at the time would have been singularly unconvincing, if the collector could have pointed to regular payments from that time to 1230. It was probably in this period also that some of the English houses stopped render of their payments entirely.

Early in the thirteenth century the papacy began to send collectors to England to raise the census. Innocent III, although he dispatched members of the papal court to some parts of Europe to collect the census, did not establish a comprehensive system of collectors.³ If he included England, the work of the collectors appears to have left no trace upon extant contemporary sources. Philip, the notary, who was in England continuously or intermittently from 1200 to 1206 took some part in the collection of the fortieth,⁴ Nicholas of Tusculum and Pandulph were commissioned to levy Peter's pence early in 1214, and Pandulph continued to act as col-

¹ Above, pp. 52, 53.

² Lunt, *Papal Revenues*, I, 33, 62, 63.

³ Fabre, *Étude*, pp. 161, 162.

⁴ Below, p. 241.

lector after the departure of the cardinal.¹ They do not appear to have been empowered to collect the census owed by the monasteries, and there is no record of its collection by the other envoys whom Innocent III sent to England.² Honorius III, who as papal camerarius had compiled the *Liber Censuum*, sent collectors of census to practically all parts of the Roman catholic world.³ During the first years of his pontificate he kept in England as legate Guala, cardinal priest of Ss Silvestro e Martino ai Monti, who had been appointed originally by Innocent III early in 1216.⁴ Guala assembled a large sum of money which he took with him when he was recalled to Rome in September, 1218.⁵ The sum was probably composed mainly or entirely of the procurations which he had collected from the English prelates,⁶ but it may have included some papal moneys. He was probably empowered to collect the thousand marks of royal tribute, since he issued warnings and mandates to the king with regard to its payment,⁷ and he may have acted as collector of the twentieth imposed by the fourth council of the Lateran, though that is doubtful.⁸ I have found no evidence that he collected either Peter's pence or census, but he probably did, if he was the collector of the other two revenues. Honorius III often combined the twentieth and the census in the commissions of his collectors, though the earliest commission of that type known to be extant was not issued until late in 1218.⁹ Pandulph, who succeeded Guala, certainly acted as collector of census, Peter's pence, the twentieth and the royal tribute.¹⁰ The successors of Honorius III did not maintain the universality of his organization of collectors, probably because the revenues in most countries did not yield enough to justify the expense,¹¹ but in England, where Peter's pence and the royal tribute as well as census were due annually, they kept a series of collectors which was nearly continuous. Only a few of those appointed before 1261 can be demonstrated to have had the census included in their commissions, but the probability that a papal collector of census was generally present in England is strong. After 1261 the series of collectors of census was continuous.¹²

¹ Above, pp. 58, 59; below, pp. 610, 611.

² For them see Tillmann, *Legaten*, pp. 89-120.

³ Fabre, *Étude*, pp. 162-64.

⁴ Tillmann, *Legaten*, pp. 107-17.

⁵ John de Oxenedes, *Chron.*, p. 143; Walter of Coventry, *Memoriale*, II, 241. On 18 February 1219 the bishops of Bath and Lincoln acknowledged a loan of 700 m. from his clerk: *Rot. Hugonis de Welles*, I, 140.

⁶ Below, pp. 538, 539.

⁷ Shirley, *Royal Letters*, I, 7.

⁸ Lunt, *Valuation of Norwich*, pp. 14-16.

⁹ *Ibid.*, p. 16; Fabre, *Étude*, pp. 163, 164 and the references there cited.

¹⁰ Theiner, *Vet. Mon. Hibernorum*, p. 17; *Rot. Lit. Claus.*, I, 396, 408, 567.

¹¹ Lunt, *Papal Revenues*, I, 38, 39.

¹² Above, p. 61; below, app. pp. 610-23.

About the work of the collectors previous to the fourteenth century we have little information, largely because none of the reports made by them to the camera is known to have survived.¹ They established the list of debtors from the *Liber Censuum* and other records of the papal camera.² Apparently some of the debtors tried from time to time to deny their indebtedness,³ for in 1282 Martin IV published the list of English payers as it appeared in the *Liber Censuum* in order to remove any doubts about those who owed census.⁴ The collectors were empowered by their commissions to compel payment by ecclesiastical censures,⁵ but notwithstanding their knowledge and their power, some debtors fell far into arrears. It was under this regime that Great Malvern ceased payment entirely. The abbey of Malmesbury recorded in a list of expenditures made late in the reign of Henry III and early in the reign of Edward I the payment at the Roman court of forty marks for the census which it owed for forty years.⁶ Gerard of Pecorara, who was collector in 1304, received forty shillings from one payer who owed only two shillings a year, and he reported that much was owed for many years.⁷ It may be doubted, though, if many debts went back as far as twenty years, since Geoffrey of Vezzano, Gerard's predecessor, was an efficient collector, and in 1299 he had remitted to the camera the census collected during 1297 and 1298.⁸

In the fourteenth century we learn more about the procedure of the collectors, though it probably was not new when we obtain our first glimpse of it. The collector cited the payer to render what he owed at a certain place before a certain day.⁹ If a debtor failed to obey the citation and presented no satisfactory excuse, the collector excommunicated him, relaxing the sentence only when the debt had been paid.¹⁰ This stringent procedure may not have been followed on every occasion of a default, for arrears did not cease entirely. Yet the work of collection appears to have been done more efficiently in the fourteenth century than in the thirteenth. The improvement was doubtless due to several factors. The papal camera became more efficient, the collectors profited from the accumulated experience of their predecessors, and the payers had perhaps

¹ There are a few reports with regard to tenths before 1300.

² Above, pp. 103, 123.

³ Faversham supplies an example: above, pp. 99–101.

⁴ *Cal. Pap. Regs. Letters*, I, 475, 476.

⁵ E.g., Lunt, *Papal Revenues*, I, 184–86; Worcester Diocesan Registry, Reg. of Giffard, fol. 37v.

⁶ *Reg. Malmesburiense*, II, 362; Addit. MS. 38009, fol. 2.

⁷ Lunt, 'Account of a Collector,' *E.H.R.*, XXVIII, 320.

⁸ *Introitus et Exitus* 446, fol. 4v.; Baumgarten, *Untersuchungen*, p. 140; Theiner, *Codez*, I, 361; Jensen, 'Denarius Sancti Petri,' *T.R.H.S.*, new ser., XIX, 263.

⁹ *Chartulary of Winchester Cathedral*, p. 53; Bodleian Library, MS. Kent Roll 6, item pp.

¹⁰ Bodleian Library, MS. Kent Roll 6, items pp. qq, r.

been rendered more docile by a century of pressure upon them to pay the due.

In the opening years of the fourteenth century the English census fell badly into arrears, but it was not the fault of the collectors. After Geoffrey of Vezzano retired in 1300, there appears to have been no collector of census resident in England until Gerard was appointed in 1304.¹ He was expelled from the kingdom when he had received only a few items of census,² and the next collector, William Testa, did not receive his commission until 1306.³ In his report for 1308, which appears to have been his first, he noted receipts of £35 16s. from the census, two years later he accounted for £43 19s. 9d. and reported that little was then owed, saving the tribute due from the king, and in 1312 his receipts fell to £2 3s. 2d.⁴ Evidently he recovered the arrears for several years. Rigaud d'Assier, who was appointed collector in 1317 and reported in 1321, secured from census a total of £13 5s. 5d. Since his report was itemized, it gives a more exact impression of the extent of the arrears and the promptitude of the payments at that period. Faversham paid for 1317 and 1318 and thereafter fell into arrears; Tonbridge paid only for 1316 and 1317; the nuns of St Mary without Aldgate, who were in arrears when Rigaud took office, paid for the seven years from 1313 to 1319; Chertsey, which was in like case, paid for the eight years from 1314 to 1321; Malmesbury paid only for the year 1316; the abbot of Bury and the keeper of Scarborough were both exactly on time, paying for the five years from 1317 to 1321; and Chacombe and St Albans paid from 1316 to 1319 and then stopped.⁵ Since Laund, Royston, Tavistock and Great Malvern had long since ceased render, and the collector was not responsible for St Augustine's, Anglesey, Bodmin and Carlisle were the only houses from which Rigaud obtained nothing. Rigaud's account is typical of the ordinary status of the collection of census in the fourteenth century. The majority of the debtors paid what they owed in the approximate neighborhood of the time when it fell due, but a few payers were generally a few years behind. The delinquents, however, were not always the same ones.

¹ Bartholomew of Ferentino was collector of several tenths and of the royal tribute after Geoffrey's departure, but I have found no indication that he collected census: below, p. 620.

² Lunt, 'Account,' *E.H.R.*, xxviii, 320.

³ Below, app. p. 621.

⁴ Lunt, 'William Testa,' *E.H.R.*, xli, 353-55.

⁵ Lunt, *Papal Revenues* II, 41-43.

CHAPTER III

ROYAL TRIBUTE

1. NATURE OF THE PAYMENT

AMONG the payers of census recorded in the *Liber Censuum* were many laymen whose lands did not constitute any part of the States of the Church. Though such payments were designated as census by the officials of the camera, it is convenient to follow the usage, common among chroniclers and not exceptional in the papal chancery, and call them tribute, in order to distinguish them from those made by exempt and protected ecclesiastical bodies. The two types of payments were exactly analogous. Laymen who contracted to make such payments surrendered their lands to St Peter or the Roman church, received the usufructuary enjoyment of them, and agreed to pay an annual sum in acknowledgment of the ownership of the lands by the Roman church. The analogy between the institution and the feudal organization is also striking. The pope was the lord and the holder of the lands was the vassal. Even in papal documents the terminology of lord and vassal was often employed, and when the relationship was first established, the holders of such lands customarily rendered homage and fealty to the pope. The lord gave protection by means of spiritual censures instead of temporal weapons, and the vassal rendered financial in place of military service.¹

The laymen who assumed this position were actuated by the desire to obtain the protection which could be given to them by the occupants of the see of St Peter. In nearly every instance the advantage of the protection to the recipient of it, at the time when it was secured, is obvious. The Norman conquerors of southern Italy in the eleventh century were seeking to legitimate by papal sanction a position which rested solely upon the right of conquest. When Ramiro, king of Aragon, had failed in an attempt to deprive his brother Ferdinand of the throne of Castile, he sought to protect himself against his brother's anticipated counterattack by becoming the vassal of the apostolic see. He did this in 1063 before Gregory VII put forward the claim that all Christian rulers of Spain ought to do homage to the apostolic see because the peninsula was part of the donation of Constantine.² The purpose of the duke of Silesia is patent in the letter which he wrote to the pope in 1323. He and his brothers, he said, had ordered Peter's pence to be levied in their lands as

¹ Fabre, *Étude*, pp. 115-27; Lunt, *Papal Revenues*, I, 63; II, 43-49.

² Fabre, *Étude*, pp. 121-23.

a recognition of their immediate subjection to the apostolic see, 'assuming faithfully that, if by chance any emperor or king of the Romans should wish to extend his jurisdiction over us *de facto*, we shall be defended from his violence and injuries by the protection of the apostolic see.'¹ The papacy sometimes claimed homage and fealty or tribute, but only when it had established a presumption that the land upon which the claim was made belonged to the Roman church and had been or was tributary.² When for example, Gregory VII asserted the papal lordship over Spain on the basis of the donation of Constantine, he assumed that the census once paid from Spain had been suspended as a result of the conquest of the Saracens.³ Exceptions of this type were uncommon, and it may be assumed ordinarily that a payment of tribute was begun originally at the initiative of the lay lord or ruler who desired the protection or moral sanction of the apostolic see.

2. LEGENDS WITH REGARD TO THE ACKNOWLEDGMENT OF PAPAL LORDSHIP BY ENGLISH KINGS PREVIOUS TO 1213

When King John rendered homage to Innocent III for England, he acknowledged a papal claim which had been advanced by Gregory VII, and he accepted the point of view that Peter's pence was census and a sign of the proprietary right of the Roman church, a point of view which had behind it a long papal and popular tradition.⁴ Yet no English king before John is known to have acknowledged the feudal lordship of the papacy. William II offered to pay a large annual sum to the papacy for the deposition of Anselm,⁵ but the offer was not accepted. Moreover, the inference that he regarded the money prospectively as tribute seems unjustifiable. Both he and his father paid Peter's pence without acceptance of the papal view of its significance. Henry II is often said to have acknowledged himself a vassal of the pope on two different occasions, but the assertion is based upon evidence which is probably false.

The first occasion was in 1172 at Avranches in connection with his

¹ Brilioth, *Den påfliga Beskattningen*, p. 23, n. 4.

² Above, p. 42.

³ Fabre, *Étude*, p. 122.

⁴ Above, pp. 42-47, 60, 61. In 1125 Honorius II spoke of the kingdom of England as belonging especially to St Peter and the Roman church as demonstrated by the authority of Gregory I and the preaching of St Augustine: Symeon of Durham, *Opera*, II, 277. The preceding part of the letter indicates that it was the clergy or church of England which Honorius claimed as pertaining particularly to the Roman church. The thought that the English church was bound more closely to the apostolic see than other churches, because it had been founded by St Augustine at the behest of Gregory I, was often expressed in papal letters. It had no bearing on the claim that the kingdom of England was in the proprietary right of the Roman church: Brooke, *English Church*, pp. 177-79.

⁵ Eadmer, *Historia*, p. 69.

absolution for Becket's murder by two papal legates.¹ In Cardinal Boso's life of Alexander III it is stated that Henry II, as part of the transactions, took an oath before the legates to receive and hold England from Alexander III and his successors.² The statement is a late interpolation,³ which receives no confirmation from contemporary accounts. The charter of absolution given to Henry II by the legates,⁴ two letters written by the legates⁵ and a letter written by Henry II⁶ state with substantial agreement what Henry had been compelled to promise in order to obtain absolution, and the accounts in the *Gesta Henrici*⁷ and the *Ymages Historiarum* of Ralph of Diceto⁸ do not differ significantly from the official statements. An anonymous letter, written apparently by an admirer of Becket,⁹ varies in some important details,¹⁰ but none of these seven sources mentions any act of homage or oath of fealty performed by or required of Henry II.¹¹ In the face of this unanimous silence, the interpolation by a later writer in Boso's narrative deserves no credence.¹² If the act had been requisite for the absolution, it would have been included in the charter of absolution; if it had been performed voluntarily, the cardinals would not have been likely to omit it from their account of the events which took place at Avranches.

The second occasion was in 1173. Henry II, who was facing the rebellion of his son Henry, was represented as beseeching Alexander III to intervene for the purpose of retrieving the parental affection of his son. In his letter¹³ he was made to say, among other things: 'The kingdom of England is of your jurisdiction, and with respect to the obligation of feudal right I am held subject and bound only to you. England puts to the

¹ Jensen, *Der englische Peterspfennig*, p. 54; Norgate, 'Laudabiliter,' *E.H.R.*, VIII, 45; compilation by Raynaldus: AA. Arm. I-XVIII, 4071, fols. 2v., 3.

² *Liber Pontificalis*, II, 426, n. 1.

³ *Ibid.*; Reuter, *Geschichte Alexanders*, III, 720, 721; Gütschow, *Innocenz III*, p. 183.

⁴ Roger de Hoveden, *Chron.*, II, 36; *Materials*, VII, 516.

⁵ Roger de Hoveden, *Chron.*, II, 37-39; *Materials*, VII, 520.

⁶ *Materials*, VII, 518.

⁷ I, 32, 33.

⁸ *Opera*, I, 351.

⁹ *Materials*, VII, 513-17.

¹⁰ It is, for example, the only one which says that Henry II renounced the constitutions of Clarendon. The others state that he promised to give up customs inimical to the church which were new in his own time.

¹¹ A few sources which treat the reconciliation briefly are likewise silent: *Thomas Saga Erkibyskups*, II, 37-39; Herbert of Bosham, 'Liber Melorum,' *Materials*, III, 543, 544.

¹² The argument is based primarily on Gütschow, *Innocenz III*, pp. 182-91. Stubbs doubted the validity of the evidence: *Constitutional History*, I, 602; III, 300.

¹³ Accepted as genuine by Fabre, *Étude*, p. 139; Luchaire, *Innocent III, les Royautés vassales*, p. 145; Jensen, *Der englische Peterspfennig*, pp. 55, 56; Manning, 'The Pope and Magna Carta,' *Contemporary Review*, XXVII, 9. See also Norgate, 'Laudabiliter,' *E.H.R.*, VIII, 45.

test what the Roman pontiff can do, and, because he does not use material arms, may he protect the patrimony of St Peter with the spiritual sword.¹ Since the letter is preserved only in the collection attributed to Peter of Blois and 'has nothing in common with the acts issued from the royal chancery,'² it may, in the absence of any confirmatory evidence, be dismissed as a probable forgery. We may rest reasonably assured that Henry II never acknowledged the feudal superiority of the papacy over England.

The background of John's render of homage for Ireland is also obscure. In 1155 Henry II toyed with the thought of attempting the conquest of Ireland to such an extent that he discussed it with his council.³ Apparently he went so far with his plan as to send envoys to seek the approval of Adrian IV for it. The intercession of John of Salisbury in behalf of the king persuaded the pope to grant Ireland to Henry to be held as a fief from the Roman church. The papal right to make the concession rested upon the forged donation of Constantine, which was believed to confer upon the Roman church the ownership of all islands. Adrian sent with the letter containing the grant a ring to be used for the investment of Henry with the fief.⁴ The letter appears to have been lost. The bull *Laudabiliter*, which is sometimes assumed to have been the letter, is probably a forgery.⁵ Henry II meanwhile had his attention occupied by

¹ Migne, *Patrologia*, cc, 1389, 1390; ccvii, 404; Bouquet, *Recueil*, xvi, 650; Rymer, *Foedera*, i, 29; Delisle, *Recueil*, ii, 8-10.

² Delisle, *Recueil*, ii, 9. Lyttleton tried to remove the difficulty by suggesting that the passage was a mere expression of courtesy: *Henry II*, iv, 285, 286.

³ Robert of Torigni, *Chron.*, p. 186.

⁴ This is the account given by John of Salisbury himself: *Metalogicus*, lib. rv, cap. 42; ed. by Migne, *Patrologia*, cxcix, 945, 946; better text by Thatcher, 'Studies concerning Adrian IV,' *Decennial Pubs. of the University of Chicago*, 1st ser., iv, 161, 162.

⁵ It seems unnecessary to review the vexed question of 'Laudabiliter.' I rely upon Thatcher, 'Studies concerning Adrian IV,' *Decennial Pubs.*, 1st ser., iv, 156-78. Miss Norgate presents the case for the genuineness of the document: *E.H.R.*, viii, 18-52. Both authors supply guidance to the previous literature of the subject. Orpen, one of the latest writers to deal with the question, accepts Miss Norgate's conclusions, despite Round's thorough refutation of them in his *Commune of London* (pp. 171-200), and in defiance of Thatcher's sound criticism of the authenticity of the bull: *Ireland under the Normans*, i, 287-318, 399, 400. He rejects Thatcher's evidence without disproof of it other than to remark that both Giraldus Cambrensis and the papal chancery accepted the bull as genuine. The value of the judgment of the papal chancery with regard to the authenticity of papal bulls is demonstrated by the number of forgeries which it confirmed: above, pp. 89, 92, 106, 116, 119. That a mediaeval chronicler should be expected to exclude false documents from his pages is, at least, a novel point of view. Eggers presents some of the best arguments for the authenticity of the bull, but she was not acquainted with Thatcher's study: *Die Urkunde Papst Hadrians IV.* I can add only a bit of negative evidence on one aspect of the question. Since the earliest known copies of 'Laudabiliter' are those in the works of Giraldus (i, 62, 63; v, 317, 318; viii, 196), I have searched in the Vatican Archives for an earlier copy. The recent preparation of indexes and inventories has made some classes of documents more readily available than they were in the time of Theiner, who declared

other affairs. He did not undertake the invasion of Ireland, and he does not appear to have accepted the investiture which was necessary to make the papal grant effective.¹ When he did visit Ireland in 1171 to receive the allegiance of the Anglo-Norman barons and of some of the Irish leaders, Alexander III acknowledged the conquest, reminded him of the special right which the Roman church had in islands, and urged him to conserve and extend those rights as far as they existed in Ireland and to establish any non-existent rights which ought to belong to the Roman church. At the same time the pope wrote to the kings, princes and clergy of Ireland, recommending the acceptance of Henry.² In these letters neither fealty nor census was mentioned. Another letter purporting to have been written by Alexander III, which confirmed Adrian's concession of Ireland saving an annual penny from each house to St Peter and the Roman church,³ is false.⁴ It therefore seems highly improbable that Henry II ever acknowledged the feudal lordship of the papacy over Ireland.

3. JOHN'S SURRENDER OF ENGLAND AND IRELAND

The circumstances under which John surrendered England and Ireland to the Roman church are for the most part well known. In 1211 Innocent III sent, apparently at John's request, the two envoys, Pandulph and Durand, to attempt a settlement of the quarrel which had begun between king and pope in 1206 over the appointment of Stephen Langton to the archbishopric of Canterbury. When John refused to accept some of the conditions which the pope wished to impose, Pandulph pronounced him excommunicated, declared his subjects absolved from his allegiance, and announced that the pope would send an army to England to exact John's deposition.⁵ Thereafter the king found that he could not rely upon the support of many of his English barons,⁶ the coalition which

that no trace of the bull existed in the Archives: quoted by Round, *Commune*, p. 198. My search yielded only modern copies. Two written in the sixteenth or seventeenth century are in AA. Arm. I-XVIII, 3258. A compilation by Raynaldus which contains a copy is AA. Arm. I-XVIII, 4071. Cf. Norgate, *E.H.R.*, VIII, 20. The copies in Roman Transcripts, General Series 58, appear to have been made from these, when they bore different press marks.

¹ Thatcher, 'Studies,' *Decennial Pubs.*, IV, 167-71.

² 20 September 1172: Rymer, *Foedera*, I, 45; *Liber Niger Scaccarii*, I, 42-48; Thatcher, 'Studies,' *Decennial Pubs.*, IV, 174, 175. The letters are mentioned in *Gesta Regis*, I, 28; Giraldus Cambrensis, *Opera*, v, 315. See Round, *Commune*, pp. 181-99.

³ Giraldus Cambrensis, *Opera*, v, 318, 319; VIII, 197.

⁴ Thatcher, 'Studies,' *Decennial Pubs.*, IV, 175, 176. Giraldus says that Henry II promised the render of Peter's pence from Ireland, but that in John's reign the promise had not yet been fulfilled: *Opera*, VIII, 408, 409.

⁵ Norgate, *John Lackland*, pp. 160-62; *Ann. de Burton*, pp. 209-17.

⁶ The contemporary evidence on this point is somewhat conflicting: Norgate, *John Lackland*, pp. 169, 171-74.

John had been building against France was weakened, and it became apparent that Philip Augustus of France was projecting an invasion of England.¹ Moved presumably by these dangers, in November 1212, John sent nuncios to acquaint the pope with his willingness to accept the terms of peace which he had rejected the year before.² On 27 February 1213³ Innocent III replied by a letter stating what the king must do in order to make his peace and obtain absolution. It contained no requirement of homage or fealty. It repeated the form of peace which Pandulph had borne in 1211, but this may not have included all the conditions specified at that time, since Pandulph then carried at least one other letter. Nothing indicates that fealty was demanded in 1211, however, and we have in the annals of Burton what purports to be a verbatim report of the conversation between John and Pandulph in 1211.⁴ Pandulph, whom Innocent III sent to see that John fulfilled the terms of the letter of 1213, met the king at Dover on 13 May. On his way through France Pandulph had suspended, pending the result of his negotiations with John, the invasion of England projected by Philip Augustus at the invitation of the pope.⁵ At the interview with the nuncio, John accepted the papal requirements, ratifying his act by the oath of four barons and by letters announcing it.⁶ On 15 May John issued a charter granting to Innocent and his successors the kingdoms of England and Ireland to be received back and held by the grantor in vassalage of God and the Roman church. He professed to act voluntarily for the purpose of obtaining the remission of his sins, 'because,' he said, 'we have offended God and our holy mother church in many things, and we are known to be most needful of divine mercy therefor, nor can we offer anything worthy for rendering proper satisfaction to God and the church unless we humiliate ourselves and our kingdoms.' For the act he claimed to have the counsel of his barons. In acknowledgment of the relationship thus created he swore fealty to the pope in the presence of Pandulph, according to the form of oath given in the charter, and undertook a perpetual obligation to pay annually 'for all service and

¹ *Ibid.*, pp. 163-75.

² *Rot. Lit. Claus.*, I, 126; Migne, *Patrologia*, ccxvi, 773; Norgate, *John Lackland*, p. 174.

³ Migne places the letter among those of the fifteenth year of Innocent's pontificate, which would make the date 28 February 1212: *Patrologia*, ccxvi, 772-77. Bliss places it among those of the sixteenth year, which gives the above date: *Cal. Pap. Regs. Letters*, I, 37. The latter is correct, because the writ of liberate for the expenses of the royal nuncios whom the pope says in the letter he has received was issued on 11 November 1212: *Rot. Lit. Claus.*, I, 126.

⁴ Pp. 209-17. A copy of the conversation appears also in Lincoln Diocesan Registry, Reg. viii (Gynwell), fols. 103-4^v.

⁵ Norgate, *John Lackland*, pp. 178, 179.

⁶ 13 and 24 May 1213: Roger of Wendover, *Flores*, III, 248-52; *Ann. de Burton*, pp. 218-22; Rymer *Foedera*, I, 112.

custom' one thousand marks, saving to himself and his heirs 'their jurisdiction, privileges and regalian rights.' Seven hundred marks were for England and three hundred for Ireland. The whole sum was to be paid in equal parts at Easter and Michaelmas of each year. The charter was attested by thirteen lay and ecclesiastical barons.¹ On 3 November 1213 Innocent III accepted the gift, took John, his heirs and his kingdom under the protection of himself and St Peter, and ceded the kingdoms to John and his successors in fee.² Meanwhile, on 3 October 1213, John had performed homage before Nicholas, bishop of Tusculum, who had recently come to England as papal legate.³ At that time he issued a more formal copy of his charter sealed with a golden bull,⁴ and on 21 April 1214 Innocent III repeated his letter of acceptance.⁵

Several problems associated with this event are difficult of solution. Did the initiative come from king or pope? John's profession to act voluntarily is meaningless in this connection.⁶ A century later prospective bishops commonly pledged themselves voluntarily to pay services to pope and cardinals under severe penalties for failure to keep the pledge,⁷ but without such pledges they could not have obtained the papal confirmations or appointments necessary to give them possession of their prospective bishoprics.⁸ John may have surrendered his kingdom because otherwise he could not have obtained absolution and ended the danger of French invasion. No such requirement appears in Innocent's letter to John, but conceivably Pandulph might have carried another letter or oral instructions to that effect. Ordinarily the papacy did not take the initiative in demanding fealty from lay rulers unless the Roman church possessed a proprietary right in the lands of the rulers. In 1213, however, the papacy believed that the Roman church owned both England and Ireland, and under these circumstances Innocent III may have demanded fealty after the example of Gregory VII. No intimation of such action occurs in the extant official documents concerned with the event.⁹

¹ Rymer, *Foedera*, I, 111, 112; *Ann. de Burton*, pp. 222, 223; Roger of Wendover, *Flores*, III, 252-55; Cotton MS. Titus C VIII, fols. 36, 36v.; Harl. MS. 1005, fols. 65v., 66.

² The letter quotes John's charter: Rymer, *Foedera*, I, 117; *Red Book of the Exchequer*, III, 1043; *Cal. Pap. Regs Letters*, I, 39; British Museum, Case v, charter 38. The original was kept in the treasury: Palgrave, *Antient Kalendars*, I, 25.

³ Walter of Coventry, *Memoriale*, II, 214; Roger of Wendover, *Flores*, III, 275, 276; *Ann. de Waverleia*, p. 277.

⁴ Rymer, *Foedera*, I, 115; *Rot. Chartarum*, p. 195; *Liber Censuum*, II, 39, 40; Cotton MS. Galba E IV, fols. 52v., 53.

⁵ Rymer, *Foedera*, I, 119; Cotton Charter VIII, 24. The slight verbal differences between the earlier and later documents are insignificant.

⁶ Gütschow, *Innocenz III*, p. 169.

⁷ For an example see Lunt, *Papal Revenues*, II, 274, 275.

⁸ Below, pp. 470, 471.

⁹ They include, in addition to those cited, a letter of Pandulph announcing publicly the terms of the settlement: Rymer, *Foedera*, I, 112.

The chroniclers, on the other hand, give conflicting testimony. Roger of Wendover, writing about twenty years after the event,¹ believed that John resigned his kingdoms 'in accordance with what had been decreed at Rome.'² The annalist of Barnwell, who probably put his materials together three or four years later than Roger,³ said that John added to the settlement the subjection of his kingdoms and the payment of tribute of his own motion. He explained that the king was in great fear, and that there was no shorter way — and possibly no other way — to avoid great peril. It placed him under apostolic protection and made his kingdoms part of St Peter's patrimony, which no prince would attack, because Innocent III was more feared than any of his predecessors for many years.⁴ This reasoning that John took the initiative in making England tributary in order to save himself from Philip's invasion, which is followed by some modern historians,⁵ is of doubtful validity. If John fulfilled the conditions imposed by the pope, the sentences against him, including his deposition, were to be removed. His promise to fulfil them, given as prescribed, would therefore cause Innocent III to countermand the suspended invasion, which was originally prepared at his request in order to accomplish what John had now agreed to do. The English king was under no necessity to add to the papal requirements placed upon him in order to obtain papal protection from that particular danger. If John took the initiative in order to secure papal protection, it would seem more probable that he had in mind his own barons,⁶ of whose unrest he had received warnings.⁷ I can, however, find no critical scales which are ad-

¹ Powicke, *Stephen Langton*, p. 102.

² Flores, III, 252.

³ Gross, *Sources*, no. 1761.

⁴ Walter of Coventry, *Memoriale*, II, 210. See also *Chron. de Mailros*, pp. 115, 116.

⁵ Adams, *History of England, 1066-1216*, p. 424; *idem*, *Origin*, p. 152, n. 6; Norgate, *John Lackland*, pp. 180-84. The reasoning has the additional support of a contemporary French chronicler, who, however, was confused in his chronology: 'Fragment de l'Histoire de Philippe-Auguste,' *Bibl. de l'École des Chartes*, LXXXVII, 125.

⁶ This may appear to conflict with Adams' contention that Innocent's feudal lordship gave him no right to intervene in the internal affairs of the fief of England, unless its holder was threatened with the loss of it by invasion or revolution, or unless the render of the service of 1,000 marks was endangered: *Magna Carta Commemoration Essays*, pp. 26-40. I do not think that it does. Innocent III, in his letter accepting John's grant, interpreted John's charter as giving the kingdoms 'in ius et proprietatem' of the Roman church, and he took under the protection of himself and St Peter John's person, heirs, kingdoms and goods: Rymer, *Foedera*, I, 117. Protection of this type was enforced by ecclesiastical censures and it rested upon ecclesiastical law: above, pp. 85, 86, 130, 131. I do not differ from Adams on his essential point that Innocent III, on 24 August 1215, annulled the great charter on the basis of ecclesiastical — and not of feudal — law. But Innocent's annulment did not rest solely upon his right as a protector of crusaders, as Adams seems to imply; it rested also upon the protection given in 1213 as the reward of John's surrender, which was made before John took the cross.

⁷ Powicke, *Stephen Langton*, p. 112.

justed with a sufficiently delicate balance to give to the statement of one chronicler more weight than that of the other. Until such scales are found, an assumption that John did or did not take the initiative seems rash.¹

Another question which became important later was the attitude of the barons toward the surrender. John's profession to act with their common counsel may have meant much or little. The thirteen witnesses who were named in the charter of 15 May as present were John's relatives and personal friends,² and, aside from Stephen Langton and three of the exiled bishops, only six additional witnesses were enumerated in the copy of 3 October. Two years later the rebel barons represented to the pope that they had forced John to grant the annual rent to the papacy,³ while John informed the pope that the barons claimed to have revolted because he had subjected England to the papal dominion.⁴ Though John's assertion conflicts with his earlier claim that he acted with the common counsel of the barons, it is not necessarily the one of the two statements which was false.⁵ After Peter II of Aragon surrendered his lands to Innocent III and the apostolic see in 1204, the nobles of Aragon and Catalonia formed a league to force him to retract the act of infeudation.⁶ The attitude of the English barons came into question again in 1216. When a papal legate sought to hinder Prince Louis of France from going to the help of the English rebels, both he and Philip Augustus argued that John's surrender of the kingdom was invalid, because he had not received the consent of his barons.⁷ Little credence can be given to interested parties who were attempting to utilize the incident to win advantage for their respective sides. This problem, like the first, must be left unsolved, though the evidence is perhaps weighted slightly in favor of the view that John did not obtain the formal consent of any large number of his barons.⁸

The third problem is that of the effect of the surrender upon public opinion. John's own statement in the charter that he was humiliating himself may be a rhetorical flourish, though the assumption can hardly

¹ For further discussion bearing on the issue see Powicke, *Stephen Langton*, pp. 105, 106; Gütschow, *Innocenz III*, pp. 169-71.

² Powicke, *Stephen Langton*, p. 101, n. 1.

³ Norgate, *John Lackland*, pp. 182, 183.

⁴ Rymer, *Foedera*, I, 138; Gasquet, *Henry III*, p. 20; Manning, 'The Pope and Magna Carta,' *Cont. Review*, XXVII, 14.

⁵ Cardinal Manning so brands it: *Cont. Review*, XXVII, 14.

⁶ Luchaire, *Innocent III, les Roautés vassales*, pp. 57, 58; Gütschow, *Innocenz III*, pp. 170, 171.

⁷ Roger of Wendover, *Flores*, III, 364-66.

⁸ For a variety of opinions on the subject see Norgate, *John Lackland*, pp. 182, 183; Gasquet, *Henry III*, pp. 4, 5; Powicke, *Stephen Langton*, p. 101; Manning, 'The Pope and Magna Carta,' *Cont. Review*, XXVII, 10, 11.

be taken for granted. His assertion that the barons were in rebellion because of the surrender may have been made more to influence Innocent III in his favor than to express the truth, but that also is a supposition which may be wide of the mark. Most of the chroniclers give a colorless account of the surrender,¹ though several designate John as tributary² or the payment as tribute.³ The continuator of Gervase of Canterbury, who may not have been contemporary,⁴ felt called upon to explain that the annual rent was given 'non nomine tributi, sed munificentiae.'⁵ Neither Roger of Wendover nor the annalist of Barnwell found any joy in the event. The former, in a restrained account of the proceedings, spoke of 'illa non formosa sed famosa subjectio'⁶ and the latter claimed that John's homage and fealty 'seemed to many an ignominious and immoderate yoke of servitude.'⁷ Stephen Langton probably did not approve of the surrender, though he necessarily witnessed the second deed of gift because it was part of the settlement which recovered for him his see.⁸ Our knowledge of his attitude rests on the authority of Matthew Paris, who wrote several years later, and whose exceptional prejudice against papal intervention in English affairs would render his denunciation of the events of 1213 of little worth, if it were unsupported. In one work he said that John 'submitted shamefully by rendering himself miserably tributary to the said pope,'⁹ and in another he termed the charter of surrender a thing 'to be detested throughout the ages.'¹⁰ His information concerning Stephen Langton's attitude, however, was derived from Gervase of Melkley,¹¹ who was the archbishop's contemporary, and possibly his clerk. Though the details of Matthew's account are probably not entirely trustworthy, his assertion with regard to Stephen's opinion about the tribute may be accepted with less hesitation.¹² Against these opinions may be set a letter to King John expressing the unknown writer's joy that he had

¹ Ralph of Coggeshall, *Chron.*, p. 166; William of Newburgh, *Cont.*, II, 515; *Ann. de Waverleia*, pp. 274-76; *Histoire des Ducs de Normandie*, p. 124.

² *Ann. de Wintonia*, p. 82.

³ Coldingham in *Historiae Dunelmensis Scriptores Tres*, p. 28; William the Breton, *Gesta Philippi Augusti*, I, 253, 254; Lambeth Palace Library, MS. 370, fol. 55v. The annalist of Tewkesbury called it tribute in the name of fee farm: p. 60.

⁴ Gervase of Canterbury, *Opera*, II, pp. xvii-xix.

⁵ Gervase of Canterbury, *Opera*, II, 108.

⁶ 'That more scandalous than pleasing subjection': *Flores*, III, 252-56, 275, 276.

⁷ *Memoriale*, II, 210.

⁸ Powicke, *Stephen Langton*, pp. 104, 130.

⁹ *Gesta Abbatum*, I, 229.

¹⁰ *Historia Anglorum*, II, 135. Elsewhere he calls it 'that detestable charter': *Chron. Maj.*, IV, 417.

¹¹ Fragment of his 'Vita S. Stephani Cantuariensis' in Liebermann, *Ungedruckte Geschichtsquellen*, pp. 323, 326, 327.

¹² Powicke, *Stephen Langton*, pp. 102, 103, 130, 134.

restored peace and liberty to the English church, subjected his dominions to the apostolic see and taken the cross.¹ Since the writer was not necessarily an Englishman, and may have been a foreign ecclesiastic, even a cardinal, the letter gives little counterbalance to the opinions of contemporary English chroniclers and particularly to that of the historian of Barnwell. However honorable the position of a vassal may have been in theory,² a section of the English public viewed this particular lordship with disfavor.

4. GENERAL NATURE OF THE CONSEQUENCES

The papal protection secured by John's submission was often invoked in following years. John obtained papal help against the rebellious barons. During the minority of Henry III, who, at the time of his coronation, did homage to the pope and swore to pay the tribute faithfully,³ papal legates took effective part in the government of England, and papal diplomacy and ecclesiastical censures were used freely to help rid England of the French invader. After the legates had been withdrawn, the English government continued for some time to appeal to Honorius III for help in navigating the ship of state. When the Welsh rebelled in 1223, the king obtained papal authorization of the use of ecclesiastical censures against the rebels. In the same year Honorius III intervened at the request of the king and his advisers to force the English barons to surrender the royal castles which they still held.⁴ Many and varied were the uses to which the relationship was put. In 1225 Henry sent nuncios to the pope with the complaint that the king of France had invaded Poitou and other lands of the English king, who was a vassal of the Roman church.⁵ In the next year, when the nuncio, Otto, sought in behalf of the pope the reservation of the income of certain prebends and churches,⁶ the king and the clergy offered, among others, the excuse 'that, even if other kingdoms should assent to the petition of the lord pope . . . , the kingdom of England of right ought to be immune from such an exaction by reason of the recognition made by his father, King John, to the supreme pontiff, Innocent, to whom he subjected the kingdom of England and Ireland, namely for England 700 marks and for Ireland 300 marks a year.'⁷ These random illustrations of the variety of consequences which flowed from the

¹ Deputy Keeper, *Fifth Report*, app. II, 60, no. 376.

² Adams emphasizes this argument: *History of England, 1066-1216*, p. 424.

³ Roger of Wendover, *Flores*, IV, 2.

⁴ Gasquet, *Henry III*, pp. 73-78.

⁵ *Ann. de Dunstaplia*, p. 92.

⁶ Below, pp. 178-86.

⁷ Walter of Coventry, *Memoriale*, II, 274-79.

subjection of England to the apostolic see by John¹ are perhaps sufficient in a narrative concerned primarily with the financial results.

5. PAYMENT OF THE TRIBUTE

The sum due for service was large enough to be an item of importance in both the papal and the royal budgets. Record of it did not fail to find a place in the *Liber Censuum*,² and the popes often sent reminders when payments were not rendered promptly. The royal government preserved the documents concerned with payments of the tribute in a casket stored in the treasury, which the keeper was instructed not to open without the special order of the king.³ As a consequence, records of the payments of this item of census are more abundant than those of the census owed by ecclesiastics, though they are not complete.

Two days after John performed homage in the presence of Cardinal Nicholas, a writ from the chancery ordered the treasurer and chamberlains of the exchequer to deliver to the legate 1,000 marks 'for the farm of England and Ireland.'⁴ Apparently the treasury did not have on hand enough money to meet the writ, for on 26 December another directed delivery to Pandulph of 54 shillings which were lacking of the thousand marks.⁵ The year ran from Michaelmas, 1213. At the next Michaelmas the king began the system of semi-annual payments arranged in the charter, ordering payment of only 500 marks to Pandulph for the pope.⁶ No further payments are recorded in the close rolls of John, but it is possible that a writ of liberate for the 500 marks which became due in the spring of 1215 may have been entered on the roll originally. Not only are some of the writs of liberate written on the roll in the spring illegible,⁷ but also some membranes of the roll for that year which are now missing⁸ may have belonged to that period. Before Michaelmas of 1215, however, the exchequer broke down. The pipe rolls ceased to be made up and writs ordering payments to be made from the treasury were no longer issued.⁹

¹ For others see Norgate, *John Lackland*; *idem*, *Minority of Henry III*; Gasquet, *Henry III*; Turner, 'Minority of Henry III,' *T.R.H.S.*, new ser., xviii, 245-95; 3d ser., i, 205-62.

² II, 39, 40.

³ Palgrave, *Antient Kalendars*, i, 53.

⁴ *Rot. Lit. Claus.*, i, 153. Nicholas acknowledged the assignment in his report to the pope on 21 October 1213: A. Mercati, 'La prima Relazione,' *Essays to R. L. Poole*, p. 279.

⁵ *Rot. Lit. Claus.*, i, 158. It is dated 26 August, but it is placed on the roll among the letters for December. It was dated at the Tower of London, and during August the letters of the chancery were dated outside of London.

⁶ 28 November 1214: *ibid.*, i, 180.

⁷ E.g., *ibid.*, i, 199.

⁸ Jenkinson, 'Financial Records,' *Magna Carta Commemoration Essays*, p. 261.

⁹ 'Richardson, William of Ely,' *T.R.H.S.*, 4th ser., xv, 55, 56; Mills, 'Experiments,' *T.R.H.S.*, 4th ser., viii, 161-65.

The exchequer did not resume the normal course of its transactions until the autumn of 1217. Much of the financial business which would have taken place ordinarily in this interval was never recorded, and a goodly portion of it was never transacted.¹ What happened with regard to the 1,500 marks of indebtedness which accumulated during the remainder of John's reign after the render of 28 November 1214 is unknown.² Henry III apparently paid no tribute which his father had owed,³ and it is improbable that the thrifty Honorius III would have allowed arrears to lapse had any existed. John's urgent need of papal support against his barons and Prince Louis may well have caused him to maintain delivery of the tribute despite the breakdown of his financial department.

After the accession of Henry III, no payments of the tribute were made as long as the civil war continued. Guala addressed to the young king warnings and mandates that the royal census should not cease, but the royal advisers could not obey for lack of money. On 6 November 1217, soon after peace was concluded with Prince Louis, a letter of excuse was written to the pope in the king's name. Therein it was explained that the royal bailiffs had delivered to the exchequer during the war less than was customary, while the king had to pay as soon as possible 10,000 marks guaranteed to Prince Louis as the price of peace and 5,000 marks which the pope had ordered him to deliver to Queen Berengaria. The letter concluded with a promise to meet his debt for the tribute as soon as possible.⁴

When Guala was superseded as legate by Pandulph late in 1218,⁵ no instalment of the tribute owed during the reign of Henry III had yet been paid. The new legate was more successful, partly because the royal finances were beginning to recuperate after the war and partly because he obtained some measure of control over the royal treasury in his double capacity as guardian of the realm and papal legate.⁶ As guardian of the treasury he wrote to Ralph de Nevill, the vice-chancellor,⁷ on 15 July

¹ Mills, *loc. cit.*, pp. 161-65.

² This sum does not include the 500 marks which fell due at Michaelmas, 1216. They were computed in the debt owed in Henry's reign, which began on 28 October. On 24 March 1226 the king placed the total sum due for tribute to date during the pontificate of Honorius III at 10,000 marks: below, p. 145. His pontificate began 24 July 1216 and so included Michaelmas of that year. See also *Cal. Lib. Rolls, 1226-40*, pp. 58, 70.

³ In 1217 Henry III excused himself for failure to pay what he owed in his own reign, but he said nothing of his father's reign: Shirley, *Royal Letters*, I, 6-8. The writs of liberate for tribute to 1226 cover only the 10,000 marks which had fallen due up to that time during the pontificate of Honorius III: below, pp. 143-45.

⁴ Shirley, *Royal Letters*, I, 6-8.

⁵ Below, p. 611.

⁶ Norgate, *Minority*, pp. 105-13.

⁷ He was performing the functions of the chancellor: *D.N.B.*, XLIII, 177; Powicke, 'The Chancery,' *E.H.R.*, XXIII, 226-28.

1219, reminding him of a conversation in which Ralph had agreed to enjoin the treasurer to pay to Simon, treasurer of New Temple, 1,000 marks which were already deposited in the Temple.¹ Five days later a writ of liberate ordered the payment to be made to Simon for assignment to Pandulph.² The sum included £416 12s. 9d. owed to Pandulph and £250 7d. for the papal tribute.³ This render was followed on 15 November of the same year by a writ directing the issue to Pandulph of 2163 marks 6s. 1d. for the census due the pope.⁴ The exchequer was still in such difficulties that in 1219 the king could not meet his obligation for the tribute,⁵ and it was not until 8 December 1220 that an order was issued for the delivery to the legate of 2000 marks for the papal census.⁶

Though Pandulph resigned the legateship on 19 July 1221,⁷ he continued to act as collector of the royal tribute until 1225. The first instalment paid after his resignation was ordered by a writ of 31 January 1222 to be transferred to John of Ferentino for the use of the pope.⁸ Since John was in the royal service,⁹ it might seem to be the natural inference that Pandulph had ceased to be collector as well as legate, and that delivery of the money was made to John for the purpose of its transport to Rome; but such was not the case. On the same day another writ of liberate directed the transfer to John of 1,000 marks which were owed to Pandulph for a loan arranged by him for the government,¹⁰ and without doubt John transmitted both sums to Pandulph.¹¹ In 1223¹² and again in 1224¹³ a writ of liberate commanded delivery to Pandulph, bishop of Nor-

¹ Ancient Corres., vi, 38. It is dated at Lichfield without the year. The treasurer is named as E[ustace], who first appeared in the records as treasurer on 4 November 1217: Richardson, 'William of Ely,' *T.R.H.S.*, 4th ser., xv, 58, n. 4. It was probably written while Pandulph was on his way north to Norham, where he was due on 2 August 1219: *Pat. Rolls*, 1216-25, p. 197. The writ of liberate of 20 July 1219 was certainly the result of the conversation or of the letter. The letter evidently constitutes one of the series which Shirley assigned to 1220, but which belong, as Powicke has demonstrated, to 1219: 'The Chancery,' *E.H.R.*, xxiii, 229, 230.

² *Rot. Lit. Claus.*, i, 396.

³ The amounts of the respective parts were not specified in the writ. Pandulph received a total of 7143½ marks for the tribute: *Rot. Lit. Claus.*, ii, 149. I have found writs of liberate to account for 7163m. 6s. 1d.: below, pp. 143, 144. I have assumed that the balance was covered by the writ of 20 July 1219.

⁴ *Rot. Lit. Claus.*, i, 408.

⁵ *Pat. Rolls*, 1216-25, p. 267.

⁶ *Rot. Lit. Claus.*, i, 443.

⁷ *D.N.B.*, xliii, 178.

⁸ *Rot. Lit. Claus.*, i, 486.

⁹ *Ibid.*, i, 492, 521, 523, 525, 530.

¹⁰ *Rot. Lit. Claus.*, i, 486.

¹¹ John could not have left the country long enough to go to Italy and return, for a writ dated 14 April implies that he was then in England: *Rot. Lit. Claus.*, i, 492. The later accounting for the total paid to Pandulph must have included this payment: below, p. 144.

¹² 26 October: *Rot. Lit. Claus.*, i, 567.

¹³ 6 November: *Rot. Lit. Claus.*, ii, 4; Auditors Receipt Roll 3, m. 2v.

wich, of 1,000 marks for the papal census.¹ The latter specified that the payment was for the eighth year of the reign (1223–24), and indicated that the payments of the reign were one year behind schedule.

Pandulph must have ceased to act as collector of the tribute soon after the receipt of this instalment. On 13 January 1225 he arrived at Rome,² and apparently he never returned to England.³ He was succeeded by Master Otto, a papal chaplain and subdeacon, who was dispatched from the papal court as nuncio to France and England in the summer of 1225. The date cannot be established exactly for lack of his commission,⁴ but he was expected at Paris on 21 August.⁵ Meanwhile Henry III sent to Rome 1,000 marks of the tribute by Stephen de Lucy and Stephen de Eketon,⁶ who were appointed his proctors at the Roman court on 16 August 1225.⁷ Otto, who apparently arrived in England late in September,⁸ presented to the king a demand for payment of the arrears owed for the tribute during the whole pontificate of Honorius III. The demand was met, and the king took the occasion to send to the pope a statement of account with a request for an acquittance which would cover all of the payments made by him to date.¹ According to this statement 7,413½ marks had been delivered to Pandulph during the period of his collectorship. To complete the payment of the arrears outstanding from Pan-

¹ A writ of 13 June 1224 had ordered the issue of 1,000 marks to the work of the pope, without specification of the recipient or of the purpose of the payment, but it had been cancelled: *Rot. Lit. Claus.*, i, 604.

² Letter of royal nuncios at the papal court: Shirley, *Royal Letters*, i, 257. The bearer left Rome on 25 February 1225. The year, which is not given, is established by Potthast, *Reg.*, 7350; Rymer, *Foedera*, i, 177.

³ In the spring of 1225 and on 10 March 1226 the royal chancery addressed letters concerned with business of the bishopric of Norwich to the bishop's official: *Rot. Lit. Claus.*, ii, 101; *Pat. Rolls*, 1216–25, pp. 531, 571. In letters of July and August, 1225, the king spoke of Pandulph as holding a watching brief over royal affairs at the papal court: *Rot. Lit. Claus.*, ii, 54, 78. Pandulph died at Rome on 16 August 1226: *Ann. de Waverleia*, p. 302; Florence of Worcester, *Cont.*, ii, 174.

⁴ Credence for Otto was asked from Henry III in papal letters concerning Falkes de Bréauté, of which the date is not preserved: Walter of Coventry, *Memoriale*, ii, 272–74.

⁵ Letter to Henry III from his nuncios, Peter Saracenius, Stephen de Eketon and Stephen de Lucy, who were in France: Shirley, *Royal Letters*, i, 264–69. It is undated, but it must belong to 1225. Deliveries for the expenses of Stephen de Eketon going to France and transmarine parts were ordered on 6 and 15 August 1225, and on 13 August the sheriff of Kent was ordered to prepare without delay for the crossing to France of Peter Saracenius: *Rot. Lit. Claus.*, ii, 55, 57. The news about the arrival of Otto was obtained by the two Stephens at an interview with Romanus, papal legate in France, held at Saint-Omer on 21 August.

⁶ That they were the bearers is established by *Rot. Lit. Claus.*, ii, 149.

⁷ *Pat. Rolls*, 1216–25, p. 545.

⁸ *Vetus Reg. Sarisberiense*, ii, 40. The date, which has been a source of confusion to secondary writers, will be more fully explained by Professor Hugh MacKenzie in his forthcoming study of papal envoys in England from 1216 to 1272.

⁹ 24 March 1226: *Rot. Lit. Claus.*, ii, 149.

dulph's time 1,586½ marks were paid to Otto.¹ In addition 1,000 marks had been sent to the pope by royal messengers. These 10,000 marks, the king claimed, constituted satisfaction in full for the amount due during the pontificate of Honorius III.²

Otto, who made his final departure from England before 3 May 1226,³ was followed by Master Stephen of Anagni, a papal chaplain, and a friend of the new pope, Gregory IX. His commission as general collector of Peter's pence, census and other papal revenues was dated 23 December 1228,⁴ but he arrived in England and began to collect the royal census before that date. His royal safe-conduct was issued on 22 October 1227,⁵ and on 7 November a writ commanded payment to him of 1,000 marks for the tribute due at Michaelmas, 1226, and Easter, 1227.⁶ Thereafter the orders for render of the tribute to Stephen were issued regularly up to Michaelmas, 1229.⁷ On 8 October 1229 the king instructed the treasurer and chamberlains to pay to Stephen 500 marks for the current Michaelmas term and a like amount at each subsequent term as it fell due, while the king should remain across the Channel.⁸ The postponement of Henry's plan to cross with an army to wage war against the king of France⁹ caused a revocation of the order for subsequent deliveries,¹⁰ and when Henry finally left for France on 1 May 1230,¹¹ no mandate for payment of the instalment due at the preceding Easter had been issued. Thereafter the records fail for the remainder of Stephen's collectorship. The king took the great seal to France. The keepers of the kingdom could authenticate writs of liberate with the seal customarily kept at the exchequer,¹² but they authorized none for payment of the tribute.¹³ The king did not return to England until 28 October,¹⁴ and the liberate rolls

¹ The writs for the delivery of this payment, which was made in three sums, were dated 21 March and 2 May 1226: *Pat. Rolls, 1225-32*, pp. 24, 27.

² The sum carried the payment up to Easter of 1226 inclusive.

³ *Vet. Reg. Sarisberiense*, II, 51. MacKenzie will discuss the date of Otto's departure more fully in his study noted above.

⁴ *Vet. Reg. Sarisberiense*, II, 146.

⁵ *Pat. Rolls, 1225-32*, p. 150.

⁶ *Cal. Lib. Rolls, 1226-40*, p. 58.

⁷ The writs were as follows: 21 February 1228, 1000 m. for Michaelmas, 1227 and Easter, 1228; 5 May 1229, 1000 m. for Michaelmas, 1228 and Easter, 1229; 5 November 1229, 500 m. for Michaelmas, 1229: *Cal. Lib. Rolls, 1226-40*, pp. 70, 127, 153; Prynn, *Records*, II, 307.

⁸ *Cal. Lib. Rolls, 1226-40*, p. 147.

⁹ Ramsay, *Dawn*, p. 54.

¹⁰ *Cal. Lib. Rolls, 1226-40*, p. 153.

¹¹ *Ibid.*, p. 181; *Pat. Rolls, 1225-32*, pp. 343-46; Shirley, *Royal Letters*, I, 362-64.

¹² *Pat. Rolls, 1225-32*, pp. 339, 340.

¹³ *Cal. Lib. Rolls, 1226-40*, pp. 181-85.

¹⁴ *Pat. Rolls, 1225-32*, pp. 408, 412.

for the next two years are lost.¹ Meanwhile Stephen left England for Rome about 9 March 1231.²

The papal receivers of the tribute during the next six years are known in only two instances.³ On 23 January 1233 a writ of liberate directed payment of 1,000 marks to Bonacursus Ingelesk, Amery Cosse and their fellows, merchants of Florence.⁴ If the merchants acted as papal agents, their use for the transportation of papal revenues from England was an early instance of the practice. A probability that the merchants did act in that capacity is established by a letter which Henry III wrote to the cardinals in 1235.⁵ They had demanded render to themselves of the half of the tribute to which they were entitled. The king excused himself on the ground that it had been the custom throughout his reign to pay the tribute to such messengers of the pope as presented to him papal letters requesting the payment. The papal letter of the type described survives for the year 1236. On 9 July Gregory IX wrote to Henry, asking him to deliver the 1,000 marks with his accustomed readiness to Thomas, a papal chamberlain.⁶ The king lived up to the reputation given to him by the pope, and the writ authorizing payment to Thomas of the requested sum was expedited on 29 October 1236.⁷ Both the Italian merchants and Thomas appear to have been appointed merely to receive the money of a given year and to transport it to Rome. Neither seems to have acted in the capacity of a general collector. Gregory's letter implies that the tribute had been paid in the years of this interval for which evidence is lacking. Had arrears existed in 1236, the pope would have been likely to mention them and to omit reference to Henry's customary promptitude. It may be deemed probable that among the recipients were Berard de Sezze, a papal scribe, and Master Silvester, who acted as the assistants of Stephen and remained in England for a time after his departure,⁸ and Boetius, a papal clerk, who appears to have acted as general collector in 1234.⁹

In 1237 the collection of the tribute was assigned to Otto, who returned

¹ *Cal. Lib. Rolls, 1226-40*, p. vi.

² *Ann. de Theokesberia*, p. 77. On 17 September 1232 he was sent as a papal emissary to Frederick II: Potthast, *Reg.*, 9003.

³ Our ignorance is due largely to another gap in the extant liberate rolls which extends from 28 October 1233 to the same date in 1236: *Cal. Lib. Rolls, 1226-40*, p. vi.

⁴ The payment covered the two terms of 1232: *Cal. Lib. Rolls, 1226-40*, p. 196; Prynn, *Records*, II, 309.

⁵ 25 February: Rymer, *Foedera*, I, 216; Prynn, *Records*, II, 307.

⁶ 'Cubiculario': Rymer, *Foedera*, I, 233. Rymer's date of 1237 is an error.

⁷ *Cal. Lib. Rolls, 1226-40*, p. 240.

⁸ Their royal safe conduct was dated 2 January 1232: *Pat. Rolls, 1225-32*, p. 457.

⁹ Below, p. 611.

to England as cardinal deacon of S Nicola in Carcere and legate a latere. He was appointed on 12 February,¹ arrived in England about 29 June, and remained until 7 January 1241.² Associated with him in the work of collecting papal revenues was Peter de Supino, a papal scribe.³ The tribute was received by Peter in 1237 and 1239,⁴ and by the legate in 1240.⁵ The liberate rolls provide no evidence of payment of the tribute due for 1238, but it was undoubtedly made.⁶ One of the motives which caused Henry III to pay the tribute so scrupulously in this period was brought out by an attempt of Frederick II to secure the expulsion from England of the legate, who was collecting a subsidy to help finance the papal war being waged against the emperor. Henry replied that he had to obey the papal commands, because he was a papal vassal.⁷ Evidently he accepted his duties as a vassal with all seriousness.

After the departure of Otto and Peter in 1241, the render of the tribute ceased for several years. Neither received any portion of the thousand marks due at Michaelmas 1241 for the current year.⁸ The news of the death of Gregory IX, which took place on 22 August 1241, doubtless caused the suspension of payment, and it was maintained until after the election of Innocent IV on 25 June 1243.⁹ The new pope was quick to seek the arrears.¹⁰ The first fruit of his policy was a royal writ ordering delivery of the thousand marks due at Michaelmas, 1243 to the master of the Temple in England,¹¹ but the writ was never executed, probably because the money was not available. Early in 1244 Innocent IV sent to England as nuncio and general collector, Master Martin, his cameral clerk.¹² On 8 June Henry authorized the delivery to him of 1,000 marks, acknowledging that it was a render on account of the sum due for the past three years. Even that advance was so great a strain on the exchequer

¹ Potthast, *Reg.*, 10299; Theiner, *Vet. Mon. Hibernorum*, p. 33.

² Matthew Paris, *Chron. Maj.*, III, 395; IV, 84.

³ Below, p. 612.

⁴ The writs, each for 1000 marks, are dated 14 November 1237 and 22 August 1239: *Cal. Lib. Rolls*, 1226-40, pp. 295, 408. Robert, treasurer of the Temple, and Hugh de Stocton, another Templar, were alternates with Peter for the receipt of the second payment.

⁵ Writ dated 4 October: Liberate Roll 4, m. 1. In the liberate roll of the chancery it is dated 3 October: Liberate Roll (Chancery) 14, m. 4; *Cal. Lib. Rolls*, 1226-40, p. 496. The issue is recorded among those of Michaelmas term 1240, but the day is not noted: Pells Issue Roll 2, m. 1. Delivery was made to Andrew de Bevan, Otto's clerk.

⁶ On 8 June 1244 payment was only three years in arrears: *Cal. Lib. Rolls*, 1240-45, p. 242.

⁷ Matthew Paris, *Chron. Maj.*, IV, 4, 5.

⁸ No writs of liberate in behalf of either appear on the roll, and on 8 June 1244 payment was in arrear for three years: *Cal. Lib. Rolls*, 1240-45, p. 242.

⁹ The papacy was vacant except for a brief interval from 25 October to 14 November 1241.

¹⁰ *Ann. de Theokesberia*, p. 132.

¹¹ 12 October: *Rôles Gascons*, I, 2035.

¹² Lunt, *Valuation of Norwich*, p. 31.

just after the Gascon expedition that provision was made for 700 marks to be forwarded from the Irish treasury and for 300 marks to be paid by the executor of Hubert de Burgh.¹ Three months later the king ordered the payment of the remaining 2,000 marks of arrears at the forthcoming Michaelmas term. That writ also had to be cancelled,² and a new writ, which took its place,³ provided for the issue of only £1,100.⁴ On 25 January 1245 the king finally got abreast of his debt by the payment to Philip, one of Martin's assistants, of 1500 marks, which rather more than covered both the remainder of the arrears and the instalment due for 1244.⁵ This was the last instalment received by Martin, since he left England on 15 July 1245,⁶ before another became due.

Meanwhile a protest against further render of the tribute was offered to the pope. Popular opposition to papal exactions, which had been growing for some time, found voice at the council of Lyons held in July 1245. The English barons drew up a statement of grievances and appointed proctors to present it to the pope and cardinals at the council.⁷ Though the king was not named in the statement as a party to it, he probably approved the action.⁸ The letter complained of papal exactions from the clergy, papal provisions and the highhanded acts of Master Martin. It said nothing of the tribute, but the English envoys raised objection to this levy before the council.⁹ They put forward the two reasons that it was exacted most injuriously in time of war, and that 'never had the fathers of the nobles of the kingdom, nor they, consented, nor do they consent, nor will they consent in the future.'¹⁰ The difficulties which Henry III had just experienced in providing for payment of the tribute

¹ *Cal. Lib. Rolls, 1240-45*, p. 242. The order on the treasury of Ireland was subsequently changed to an order on the exchequer of the Jews: *Cal. of Documents relating to Ireland*, I, 398, 401; *Close Rolls, 1242-47*, p. 197.

² 12 September 1244: *Cal. Lib. Rolls, 1240-45*, p. 264.

³ 16 October: *ibid.*, p. 269.

⁴ It was payable to Master Nicholas, one of Martin's companions.

⁵ *Ibid.*, p. 285. The sum was 150 m. in excess of the amount due at Michaelmas, 1244.

⁶ Matthew Paris, *Chron. Maj.*, IV, 420, 421; *Ann. de Dunstaplia*, p. 167.

⁷ Copies of the letter: Cole, *Documents*, pp. 351-53; Matthew Paris, *Chron. Maj.*, IV, 441-44. The contents of the two copies are in essential agreement. The first, which is probably an official copy (Lunt, 'Sources for the First Council of Lyons,' *E.H.R.*, XXXIII, 72-74), was addressed to the cardinals by the barons, knights and university of the baronage of England, while the second was addressed to the pope by the magnates and university of the kingdom. A copy of the document printed by Cole occurs in Cotton MS. Cleop. E I, fols. 178⁺-179⁺.

⁸ The official record stated that the baronial proctors were charged with the affairs of king and kingdom: Cole, *Documents*, p. 351. The proctors undoubtedly represented the king as well as the barons: Matthew Paris, *Chron. Maj.*, IV, 526; *C. P. R. 1232-47*, pp. 454, 463.

⁹ Cole, *Documents*, p. 359; 'Brevis Nota,' *M. G. Const.*, II, 516.

¹⁰ Matthew Paris, *Chron. Maj.*, IV, 440. The second reason was recorded also by the independent annalist of Dunstable: p. 168.

from an exchequer depleted by the recent Gascon expedition evidently moved him to protest his liability for the tribute on the ground that John's contract to pay it without the consent of his barons was illegal.

Henry's action had no effect upon the attitude of Innocent IV. While the council of Lyons was still in session, he persuaded a large number of bishops to sign an *inspeximus* of a number of documents which granted or confirmed temporal rights to the papacy. Among them was John's charter.¹ When the envoys returned to England and Henry III learned that English bishops were among the signers, he swore in his anger 'that even if the bishops were shamefully bowed down, he would stand firmly for the liberty of the kingdom; nor would he ever pay census under the name of tribute to the Roman court, while he enjoyed the vital air.'² If the king used such words as these which Matthew Paris put in his mouth, he soon belied them. Since the requests of the barons received from the pope an equally unsatisfactory answer, Henry brought the papal replies to the attention of a great council held on 18 March 1246.³ They were adjudged inadequate, and new letters of complaint were formulated in the name of bishops, abbots, priors, magnates, clergy, people and king, urging the pope to accede to the petitions previously submitted.⁴ The letters rehearsed few of the specific grievances, and they contained no mention of the tribute, though it was the subject of discussion at the great council.⁵ Whether Henry renewed the attempt to escape the tribute may be doubted, since, five days after the great council met, he issued a writ directing payment of the sum due for 1245 to the treasurer of the Temple in London.⁶ In any case, the messengers who carried the letters to the pope received no more satisfaction than the envoys of the previous year.⁷ Henry's effort to rid himself of the tribute failed.

For some years after the council of Lyons, though several papal agents were collecting revenues in England,⁸ the tribute was not delivered to any of them. Beginning in the autumn of 1246, Innocent IV, for three years in succession, asked Henry to render the sum due for the current year to the treasurer of the Temple in London.⁹ The payments due in 1246 and

¹ Huillard-Bréholles, 'Examen,' *Notices et Extraits des Manuscrits*, xxi, pt. 2, 270, 271, 302.

² Matthew Paris, *Chron. Maj.*, iv, 479.

³ Date given by Matthew Paris, the annalist of Winchester, and a letter written by the bishops to the pope: *Chron. Maj.*, iv, 526, 529; *Ann. de Wintonia*, p. 90. Variant dates are 19 and 25 March: *Ann. de Wigornia*, p. 437; *Ann. de Dunstaplia*, p. 169.

⁴ Matthew Paris, *Chron. Maj.*, iv, 529-36; *Ann. de Burton*, pp. 278-85.

⁵ *Ann. de Wintonia*, p. 90.

⁶ Liberate Roll (Chancery) 22, m. 16.

⁷ Matthew Paris, *Chron. Maj.*, iv, 560.

⁸ Below, pp. 613, 614.

⁹ By letters dated 6 October 1246, 27 August 1247 and 28 July 1248: Rymer, *Foedera*, i, 266, 267; Papal Bulls, 53/3. Gasquet asserts that in the last document Henry was asked to pay the money

1247 were made as requested in 1247,¹ but in the next year the papal instructions were not observed, because Henry had to borrow the money. A Florentine and a Sienese firm each paid 500 marks to the papal camera, receiving in return the king's bond, dated 9 May 1249, for their reimbursement at the royal exchequer at the Michaelmas session of 1249.² The instalment due in 1249 gave the king equal difficulty. It was delivered in two portions, one of which was late. On 7 December 1249 the pope acknowledged receipt from Florentine merchants of 500 marks of the tribute owed for the past year,³ and on 22 September 1250 the king ordered two of his officials who had received for exchange 699 marks 3s. 4d. of the old money of Ireland to keep 500 marks of it for the service of the pope.⁴ When a writ of liberate, dated 6 October 1250, ordered delivery to a partner of the papal merchant, Boniface Buonsignori, of 1,000 marks for the tribute due on Michaelmas, 1249,⁵ it apparently was designed merely to give warrant for transactions which had already taken place.

These troubles ended temporarily in 1250, when the king anticipated the established date for the payment by issuing on 4 May a warrant for delivery of the thousand marks due at the next Michaelmas.⁶ With this instalment, render to a papal collector was resumed. The payee was John of Kent of the Friars Minors, who acted as papal nuncio and collector in England for several years after 1250.⁷ In each of the next two years the warrants for payment of the tribute were issued soon after Michaelmas,⁸ and the recipient appears to have been John of Kent.⁹

to the Templars at Lyons, from whom the pope had borrowed the money in anticipation of the payment: *Henry III*, pp. 275, 276. Apparently he read 'Lugdunensis' for 'Londoniensis.' There is no word of a loan in the bull.

¹ The writ for the payment due in 1246 was issued between 6 and 9 April 1247, and that for the payment due in 1247 on 1 or 2 October 1247: *Liberate Roll* (Chancery) 23, mms. 2, 10.

² *C.P.R. 1247-58*, pp. 41, 42. Writs of liberate payable on the surrender of the bonds were issued on the same day: *Liberate Roll* (Chancery) 25, mms. 6, 9; 26, m. 2. Nicholas, papal camerarius, issued an acquittance for 500 marks of the sum in 1248: Palgrave, *Antient Kalendars*, I, 26.

³ Rymer, *Foedera*, I, 271. Gasquet makes from this document the unwarranted deduction that Innocent IV had anticipated the payment by borrowing 500 marks from the merchants and was asking Henry III to reimburse them: *Henry III*, p. 269.

⁴ *Close Rolls, 1247-51*, p. 326.

⁵ *Liberate Roll* (Chancery) 26, m. 2.

⁶ *Ibid.*, 27, m. 9.

⁷ Below, p. 614.

⁸ Writs dated 29 October 1251 and 20 October 1252: *Liberate Roll* (Chancery) 27, m. 3; *Exch. of Receipt*, *Liberate Roll* 8, m. 1.

⁹ The payee is not named in the first writ. The designation of John of the Friars Minors in the second leaves room for doubt whether John Anglicus or John of Kent was meant. The last mention of John Anglicus as collector in England, which I have discovered, was on 18 October 1250: *Cal. Pap. Regs. Letters*, I, 263. John Anglicus, moreover, had never before received the tribute.

The regularity did not endure. In 1253 and 1254, which were the last two years of the pontificate of Innocent IV, Henry failed to pay the tribute. These arrears were levied by Alexander IV four years later. On 29 May 1258, when the baronial revolt had already begun and the king was in desperate financial straits,¹ he gave his bond to repay to merchants of Florence and Siena at New Temple, London, on the next Michaelmas fortnight, a loan of 2,250 marks, promising to meet all losses, expenses and interest incurred by the merchants, renouncing all exceptions which might be pleaded as a bar to repayment, and placing himself under the coercive jurisdiction of the bishop of Florence and John of Kent for enforcement of the repayment. The abbot and convent of Westminster guaranteed the loan, and the king pledged some of the crown jewels as their collateral security. Two thousand marks of the money thus hardly acquired were used for the tribute and 250 marks constituted the profit of the merchants.² The government was unable to meet the loan at maturity, and thus incurred an additional expense of 50 marks. The debt was finally paid in two instalments in 1259, 1,000 marks on 13 May and 1300 marks on 2 November.³ The difficulties experienced in this instance are indicative of the condition of the royal finances during the period, and they illustrate the weight of the burden of the tribute upon the exchequer whenever it had to meet any exceptional strain.

The payments which fell due during the first four years of the pontificate of Alexander IV were met with promptitude, though not always with ease. On 18 June 1255, Master Pagano, provost of St Saviour in the diocese of Genoa and a papal chaplain, received a writ of liberate for 1,000 marks.⁴ The writ for the thousand marks due in 1256⁵ was paid in instalments,⁶ and it was finally met only by means of a loan which the exchequer negotiated with William de Valence. The loan was repaid except for a small portion at the Michaelmas term of 1257.⁷ At the same term writs were issued for the delivery of the annual instalments due both in 1257 and in 1258,⁸ but the latter was not honored at the exchequer until after the Hilary term of 1260.⁹ All three writs ordered payment to

¹ Lunt, *Valuation of Norwich*, pp. 89–92; *C.P.R.* 1247–58, p. 625; *Gesta Abbatum*, I, 373–79; Matthew Paris, *Chron. Maj.*, v, 682–88.

² *C.P.R.* 1247–58, pp. 631, 634.

³ Liberate Roll 17, m. 1; 19, m. 1.

⁴ *Ibid.*, 12, m. 1v; 14, m. 2; 15, m. 2; Liberate Roll (Chancery) 31, m. 4.

⁵ 27 May 1256: Liberate Roll (Chancery) 32, m. 9; Pells Issue Roll 10, m. 4; Devon, *Issues*, p. 35.

⁶ Exch. of Receipt, Misc. Roll 3 (E 403/12) m. 1, col. 1; 5a, m. 1, col. 1.

⁷ Exch. of Receipt, Misc. Roll 3, m. 1; 4 (E 403/16); 5 (E 407/5).

⁸ 4 November for 1000 marks due at Michaelmas, 1257: Liberate Roll (Chancery) 34a, m. 5; writ dated 5 November in one roll and 6 November in the other for payment due at Michaelmas, 1258: Liberate Roll (Chancery) 34a, m. 5; Liberate Roll 18 (E 403/1220) m. 1v.

⁹ Liberate Roll 18 (E 403/18) m. 2; Treharne, *Baronial Plan*, p. 106.

John of Kent. The reason for the delay of the second payment was, without much doubt, the opposition of the barons, who then controlled the government, to the tribute. The payments which became due in 1259 and 1260 they withheld entirely. Meanwhile Henry had sought from Alexander IV release from his oath to observe the provisions of Oxford. His request was granted on 13 April 1261.¹ On 25 May, which was about the time that the king received the papal bull,² a writ of liberate directed the delivery to John of Kent of 1,000 marks for the tribute of the current year.³ The issue of the writ probably represented action taken at the initiative of the king independently of the baronial council which had managed affairs during the two preceding years.⁴ Though Henry III did not recover full control of the great seal until 12 July 1261,⁵ he had enjoyed for more than a year previous to that date a sufficient degree of freedom from the control of the baronial council to enable him to issue some writs in his own name, and the council during that period had been more liberal in authorizing payment of various royal gifts and debts desired by the king.⁶ Apparently the failure to pay the tribute during 1259 and 1260 was due to the action of the baronial council, and the resumption of payment in 1261 to the recovery of power by the king.

The arrears left by the barons soon rose up to plague Henry. On 29 August 1261 Urban IV was elected pope, and the new broom swept clean financially. A number of his letters concerned with financial business have been preserved in a separate cameral register. They supply a somewhat more detailed view than earlier records of the methods employed by the papacy for the collection of the tribute. On 13 December 1261 Urban IV sent to the king a reminder that at the last Michaelmas the tribute for two years was still owed and asked him to pay the debt immediately to John of Kent when he should present the letter.⁷ It was sent to John with instructions to present it to the king and to ask him 'humbly and prudently' for the money. He was to transfer it to two cameral merchants of Siena, and to notify the pope when he made the assignment.⁸ John was also ordered to inform the pope of the status of the business

¹ Rymer, *Foedera*, I, 405.

² Its bearer was still absent from England on 12 May, but he had reached London on 25 May: Treharne, *Baronial Plan*, pp. 260, 261.

³ Liberate Roll (Chancery) 37, m. 8.

⁴ The writ was issued 'teste rege,' and not 'teste me ipso.' It was not attested by the council, as were many — though not all — of the liberate writs of the year before.

⁵ *C.P.R.* 1258-66, p. 165.

⁶ Treharne, *Baronial Plan*, pp. 235-37.

⁷ *Regs. d'Urbain IV*, I, 47; Jensen, 'Denarius Sancti Petri,' *T.R.H.S.*, new ser., XIX, 244; Rymer, *Foedera*, I, 413; *Cal. Pap. Regs. Letters*, I, 380; Potthast, *Reg.*, 18182.

⁸ *Regs. d'Urbain IV*, I, 48; Jensen, *loc. cit.*, XIX, 244, 245; Potthast, *Reg.* 18183.

committed to him by Alexander IV.¹ Since John had acted for Alexander as general collector, his instructions meant that he was to render an account which would display the condition of papal financial affairs in England. On 30 December 1261 the pope directed letters to Henry III requesting him to allow the merchants to whom John was to deliver his receipts to dwell in London and travel in England under his protection. He also asked the queen to intercede with the king to secure the grant of this request.² Finally, on 5 May 1262 the collector was ordered to deliver what he received from the royal tribute to the cameral merchants in the presence of Master Leonard, cantor of Messina and papal chaplain, whom the pope was sending to England as nuncio.³

Henry III disregarded the request for arrears, doubtless because his precarious political fortunes had reduced the exchequer to a low ebb. He did, however, pay the tribute for 1262. On 8 July, when he was on his way to France, he sent the abbot of Peterborough to London to obtain 1,000 marks from the wardrobe for delivery to John of Kent in the presence of Master Leonard.⁴ This payment, like that of 1261, was probably made in return for favors received, though nothing indicates that either payment was the result of any papal stipulation. The death of Alexander IV in 1261 had rendered of doubtful validity his release of Henry III from his oath to the barons, and the critical state of affairs in England made it important for the king to obtain confirmation of the release from the new pope. On 25 February 1262 his agents had obtained the desired bull,⁵ and it had been published in England on 2 May.⁶

The payment left Henry 2,000 marks in arrear, and, as Michaelmas of 1263 approached, when the debt would be increased by another thousand marks, Urban IV became impatient. On 25 August 1263 he wrote to the dilatory king, requesting prompt render to John of Kent of the sum due for three years.⁷ Simultaneously he ordered the collector not only to present the request but also to accompany it with the threat that failure to comply within a reasonable time to be fixed peremptorily by the collector would cause the royal chapel to be placed under interdict, notwithstanding the existence of any papal indult that such sentence could be imposed only by apostolic letters quoting the indult *verbatim*. If John

¹ Jensen, *loc. cit.*, XIX, 245, 246.

² Jensen, 'Denarius Sancti Petri,' *T.R.H.S.*, new ser., XIX, 246.

³ *Ibid.*, XIX, 247; *Regs. d' Urbain IV*, I, 53; Potthast, *Reg.*, 18295. On Leonard, see below, p. 617.

⁴ Liberate Roll (Chancery) 38, m. 6; *C.P.R. 1258-66*, p. 221.

⁵ Treharne, *Baronial Plan*, pp. 275-77.

⁶ Ramsay, *Dawn*, p. 196.

⁷ *Regs. d' Urbain IV*, I, 216; Jensen, 'Denarius Sancti Petri,' *T.R.H.S.*, new ser., XIX, 248; Potthast, *Reg.*, 18630; *Cal. Pap. Regs. Letters*, I, 387.

should receive the money, he was to assign it to specified merchants of Siena; if he should not, he was to pronounce sentence of interdict.¹ The threat was of no avail. Even before Urban IV wrote, the barons had recovered control of the royal government, and not long afterward began the civil war which ended on the field of Evesham on 4 August 1265.

During this period of disorder no further demands were made for payment of the tribute, and it may be doubted if the interdict was put into effect. When Urban instructed his collector to pronounce the sentence, he apparently knew that the disorders had been renewed in England. Two days before he had annulled all oaths to take part in conspiracies against the peace of king and kingdom.² He may not have known, however, that the barons had so far recovered power as to force Henry to renew his oath to them, rendering threats against Henry useless as a means of opening the royal exchequer, which was again controlled by the barons. When he learned of the reversal of Henry's fortunes, as he did within a few weeks of the issue of his threat with regard to the interdict, he made every effort to assist the king against the barons. On 16 September he conferred power upon an envoy to release Henry from any unlawful oath,³ and urged Richard of Cornwall to help his brother.⁴ On 22 November he dispatched Guy Fulcodi, cardinal bishop of Sabina, to England with extraordinary legatine powers designed to aid the king in recovering control of the government.⁵ The legate left the papal court after 9 April 1264 and arrived in the north of France about June.⁶ The barons would not permit him to enter England, and his negotiations conducted from the other side of the Channel were fruitless. He left for Italy about November 1264, filled with bitterness against the English barons. On 5 February 1265 he was elected pope as Clement IV,⁷ and in May he sent Cardinal Ottobon to England armed with even fuller powers against the barons than those which he himself had enjoyed.⁸ When the legate reached England late in October, the barons had been defeated and Henry was restored to power. Ottobon had no occasion to use many of his powers, but he remained to assist in the restoration of peace to the kingdom.⁹

¹ *Regs. d' Urbain IV*, I, 217; Jensen, *loc. cit.*, XIX, 248; Potthast, *Reg.*, 18631; *Cal. Pap. Regs. Letters*, I, 387. In another register a similar — or the same — letter is dated 25 July 1263: *Cal. Pap. Regs. Letters*, I, 379.

² *Cal. Pap. Regs. Letters*, I, 379.

³ *Cal. Pap. Regs. Letters*, I, 401; Treharne, *Baronial Plan*, p. 338.

⁴ *Cal. Pap. Regs. Letters*, I, 402.

⁵ *Ibid.*, I, 396–400; Treharne, *Baronial Plan*, pp. 338, 339.

⁶ Heidemann, *Clemens IV*, pp. 110–15.

⁷ *Ibid.*, pp. 115–69; *idem*, *Die englische Legation des Cardinals Guido Fulcodi*; Nicolas, *Clément IV*, pp. 98–133, 558–631; *C.P.R. 1258–66*, pp. 369, 370, 374; Gervase of Canterbury, *Cont.*, II, 242.

⁸ *Cal. Pap. Regs. Letters*, I, 426–30; *Regs. de Clément IV*, 40–78.

⁹ Lunt, 'Consent,' *Essays in Honor of George L. Burr*, p. 154.

When the new pope learned of Henry's recovery of power, the renewal of the demand for payment of the long overdue tribute was only a question of time. On 9 May 1266, in answer to Henry's appeal, Clement IV ordered the clergy of England, Wales and Ireland to pay to Ottobon for the king a tenth of their revenues for three years.¹ Two weeks later he commanded the king to pay to Master Sinitius, his cameral clerk, whom he was sending to England as collector, the tribute due for five past years and the current year. He also wrote to the queen and to Prince Edward, asking them to add their persuasions to his, and to Ottobon and John of Kent, directing them to help Sinitius obtain the money.² A month later he instructed the legate to see that the tribute was recovered from the proceeds of the tenth of which he was the collector.³ At first Ottobon treated the debt as a preferred claim on the whole tenth,⁴ but on 26 July 1267 Henry III ordered the local collectors of the tenth in Ireland to deliver to Sinitius the seven thousand marks⁵ necessary to meet the debt for tribute as it would stand on Michaelmas, 1267. After Sinitius had received 1,100 marks from this source, the king assigned the Irish tenth to Queen Eleanor,⁶ and ordered the bishops and collectors in the dioceses of Lincoln and Norwich to deliver their receipts to Sinitius until the balance of 7,000 marks should have been paid.⁷ On 10 January 1269 the bishop of Norwich was informed that the yield of the second and third years only were to be delivered to Sinitius, and that the arrears of the first year were to be rendered to the king.⁸ Six months later the king gave notice that the proceeds of the diocese of Lincoln would suffice,⁹ and on 10 November he instructed the collectors in that diocese to pay to the papal collector for the arrears of the tribute the specific sum of 2,421 marks 4s. 6½d.¹⁰ The total yield of the tenth in the diocese of Lincoln was compounded for £9,266 13s. 4d., and in 1270 the king gave credit to the collectors for its receipt, though £256 13s. 4d. were still deposited with divers merchants.¹¹ Since the only other assignments on the tenth of that diocese were small,¹²

¹ Below, p. 292.

² 23 May: *Regs. de Clément IV*, 766-71; Jensen, 'Denarius Sancti Petri,' *T.R.H.S.*, new ser., xix, 249-53; *Cal. Pap. Regs. Letters*, I, 423, 424.

³ 22 June: *Regs. de Clément IV*, 786; Jensen, *loc. cit.*, xix, 254; *Cal. Pap. Regs. Letters*, I, 424.

⁴ Letter of 6 February 1267: *Northern Regs.*, p. 7.

⁵ *C.P.R. 1266-72*, p. 92; Rymer, *Foedera*, I, 473; Gilbert, *Crede Mihi*, p. 108.

⁶ *C.P.R. 1266-72*, p. 409; Prynn, *Records*, II, 1054.

⁷ 3 March 1268: *C.P.R. 1266-72*, p. 200.

⁸ *C.P.R. 1266-72*, p. 311.

⁹ 14 July 1269: *C.P.R. 1266-72*, p. 353. On 26 May the dean and chapter of Lincoln had been ordered to pay 3000 m. to Sinitius from this source, but the entry is crossed and cancelled: *C.P.R. 1266-72*, p. 346.

¹⁰ *C.P.R. 1266-72*, p. 392.

¹¹ Chancery Misc., Bde. 19, file 2, no. 14.

¹² *C.P.R. 1266-72*, pp. 92-95, 97, 103, 170, 180, 182, 195, 227, 329, 367, 403; *Ancient Corres.*, VIII, 37.

and some of them were payable only after Sinitius had been satisfied,¹ it may be deemed probable that the debt for 7,000 marks had been met by 1270.

Henry III made no further payment of tribute during the remainder of his reign. On 6 November 1274 Gregory X sought payment of the due for seven past years and the current year.² If the current year was the calendar year 1274, the tribute had not been paid since Michaelmas, 1266. Since Henry III in his several assignments always directed the delivery to Sinitius of 7,000 marks, which would bring the payments up to Michaelmas, 1267, Gregory X probably meant the year from Michaelmas, 1274 to Michaelmas, 1275.³ In either case, the letter provides convincing evidence that the assignment upon the tenth was the last payment of tribute rendered by Henry III.

The experience of the reign of Henry III indicates that the tribute was a heavy and an unwelcome burden upon the royal exchequer. After the initial difficulties of the reign had been overcome, the annual payments were made with comparative regularity for several years, but it was 1226 before the king succeeded in meeting the last of the debt which had accumulated during the disorder at the beginning of his reign. From that time until 1240 the payments were never very far behind. Thereafter the debt accumulated for three years on account of a vacancy in the papal see. The subsequent payment of this debt from a slender income depleted by expenditures for a foreign campaign caused so much difficulty that the king and the barons sought relief from the burden. They raised the significant objection that John had no power to commit the kingdom to perpetual payment of the tribute without the consent of his barons, which he had never obtained. The king was more complacent about the papal rejection of the petition for relief than were the barons. He continued to pay the thousand marks each year without notable delay until 1253, though on one occasion he borrowed the money. In 1253 and again in 1254 he failed to meet the obligation, and, though he kept abreast of subsequent payments until 1258, he was forced to contract a loan which bore interest in order to pay the two thousand marks of arrears. When the principal of the loan became due, he had to postpone its repayment. The barons in their day of power stopped payment of the tribute, but Henry, who was indebted to the papacy for assistance in escaping the control of the barons, necessarily renewed the payments. Before he had met the arrears allowed to accumulate by the barons, he was again sub-

¹ Prynn, *Records*, II, 1055.

² Papal Bulls, 47/5.

³ See also below, pp. 158-60.

jected to a baronial government which left the tribute unpaid. When he recovered power he was without funds, and the papacy secured the large sum then due only by granting to the king a triennial tenth of English clerical income and taking the tribute from the proceeds. During the period of the baronial wars Henry received nearly as much help from the papacy as he had received during his minority. After 1267, when peace had been restored, he was no longer as dependent upon the papacy. There was, moreover, a vacancy of the apostolic see from late in 1268 to late in 1271. These, combined with financial difficulties,¹ were perhaps the principal reasons why Henry allowed the tribute to go unpaid during the last five years of his reign. Possibly they do not tell the whole story. There were popes to receive the tribute in 1268 and 1272, if Henry had been disposed to follow the policy of his earlier years and make the tribute one of the preferred claims on such resources as were at his disposal. Apparently Henry's loyal devotion and gratitude to the papacy,² which had been strained in 1245, reached the breaking point after 1267.

The attitude of Edward I toward the tribute was entirely different from that which his father had manifested for the greatest part of his reign. He regarded it as a burden which was to be avoided if possible. His actions indicate, indeed, that he looked upon the obligation as derogatory to the royal dignity. In 1274, before he had received any papal demand for the tribute, he protested its payment. Nuncios who were sent in behalf of the king, the barons and the community to the second council of Lyons were instructed to renew the opposition to the tribute which had been offered at the first council of Lyons. Their instructions included the heads of arguments which they could employ. John's subjection of the kingdom and concession of the tribute, it was contended, could not continue legally, because it was contrary to the welfare of the kingdom and the honor of the king, and in conflict with the provisions of the coronation oath taken by English kings. John's act, moreover, was invalid, because he had been coerced by fear of excommunication and interdict and also by fear of death and loss of his kingdom.³ Though these arguments were formulated while Edward was still absent from England, his later actions with regard to the tribute indicate that they represented his point of view. How the English envoys carried out their instructions at

¹ Wykes related that the king in 1267 had less money than would keep his domestics in victuals and pay his French mercenaries their daily stipend: *Chron.*, p. 204. The clerical tenth and the restoration of peace relieved the situation somewhat.

² Henry's gratitude for the protection given to him by the papacy during his minority endured for many years. See the letter quoted by Turner, 'Minority,' *T.R.H.S.*, new ser., xviii, 258, and Grosseteste's letter of 1246: Gasquet, *Henry III*, pp. 244, 245.

³ Cole, *Documents*, pp. 358-60; Cotton MS. Cleop. E 1, fol. 179+++.

the council we are not informed, but whatever protest they presented to the pope was without result.

Though Gregory X was not prepared to forego the tribute, he displayed consideration for Edward's immediate difficulties by delaying his first formal request for its payment until Edward had returned to England. The new pope was well acquainted with the new king. He had been much in England, occupying positions where he must have met Edward when he was the heir apparent. In 1259 he had been sent to the Roman court as an envoy by Henry III.¹ In 1268 he took the cross in England, where he was sojourning as a companion of Ottobon.² The esteem in which the king held him was evidenced at that time by the exemption of his English benefices from the triennial tenth.³ When he was elected pope on 1 September 1271, he was at Acre in the company of Prince Edward.⁴ One of his early acts as pope was to request the English clergy to contribute a tenth of their revenues to help their prince meet the debts which he had incurred upon the crusade.⁵ Early in 1273 Edward, on his return from Palestine, spent several days at the papal court, where he was accorded many marks of honor and esteem by the pope and the cardinals.⁶ Subsequently he delayed long in France in order to settle the affairs of his French lands, reaching England on 2 August 1274.⁷ Gregory's request for the payment of tribute was dated 6 November 1274, when the news of the king's arrival had had ample time to reach the papal court, which was then at Lyons.

The letter asked credence for Raymond de Nogaret, who was the general collector in England, and requested the king to pay the tribute due for seven years past and for the current year to the collector.⁸ Edward replied that he could not comply without consultation of his magnates, and promised to advise with them in the council which would meet in parliament on the octave of the next Resurrection.⁹ This claim that the tribute could be paid only with baronial assent appears to have been new with Edward I, though it may well have been derived from the principle

¹ Rymer, *Foedera*, I, 392; *Close Rolls*, 1259-61, p. 240; Pells Issue Roll 13, m. 2.

² *Flores Historiarum*, III, 14; Gasquet, *Henry III*, p. 414; Tononi, *Relazioni di Tedaldo Visconti*, pp. 7, 12-14.

³ *C.P.R.* 1266-72, p. 360.

⁴ 'Ann. Placentini Gibellini,' *M.G.SS.*, XVIII, 554.

⁵ Below, pp. 230, 231.

⁶ Cont. Florence of Worcester, *Chron.*, II, 211; Wykes, *Chron.*, p. 254.

⁷ Cont. Florence of Worcester, *Chron.*, II, 213; Wykes, *Chron.*, pp. 255, 256, 259.

⁸ Papal Bulls 47/5.

⁹ This letter is lacking. Its content is known by the royal letter to the pope of 19 June 1275: *Ancient Corres.*, XIII, 191; *Parl. Writs*, I, 381; Prynne, *Records*, III, 158; *C.C.R.* 1272-79, pp. 197, 198; Deputy Keeper, *Seventh Report*, app. II, p. 239, no. 1616.

asserted in 1245 that John had no right to render the kingdom tributary without the consent of his barons, and it may have been implied in the failure of the barons to pay the tribute during the periods when they controlled the government during the reign of Henry III. The pope accepted the delay, but urged that payment should be made to Raymond immediately after the consultation at Easter.¹ When parliament assembled at Eastertide of 1275, other business was considered first, and before the king brought up the question of the tribute, he fell ill. On 19 June 1275 he excused his delay to Gregory. He promised to consult his council in his parliament at the next Michaelmas term, but again he asserted that he could not pay the debt without the consent of the prelates and magnates. He was bound by his coronation oath, he explained, to keep the rights of his kingdom intact and to do nothing which touched the crown without such counsel.² His statement throws light upon the functions of parliament at this time as well as upon the English view of the nature of the tribute. Parliament met at Michaelmas,³ but we have no knowledge of its action upon the tribute.

When Gregory X died early in 1276, the debt was still outstanding, and during the short pontificates of his two successors, Innocent V and Adrian V, the matter was neglected. John XXI renewed the demand of Gregory X. On 18 December 1276 he asked the king to deliver to Geoffrey of Vezzano, the collector whom he sent to England, the tribute due for the preceding seven years and for the current year ending at Michaelmas, 1277. He specified that 3,000 marks should be paid within a month of the receipt of his letter, 3,000 marks before 24 June 1277, and the remaining 2,000 marks before the next Michaelmas.⁴ With this request Edward complied. He delivered 3,000 marks to Labius Vulpelli, a merchant of Lucca, who forwarded the sum before the death of John XXI, which occurred on 20 May 1277. The remaining 5,000 marks were received by John's successor, Nicholas III, who, on 23 February 1278, issued an acquittance for the whole 8,000 marks and acknowledged himself satisfied for all sums due for the tribute up to Michaelmas, 1277.⁵

The letter of Gregory X, implying that the tribute for eight years would be due on Michaelmas, 1275, and the letter of John XXI, stating that the same sum would be due on Michaelmas, 1277, leave an hiatus of two years. The natural assumption that Edward paid 2,000 marks between

¹ This papal letter is also known only by mention in the same letter of Edward.

² The same letter of Edward.

³ Richardson and Sayles, 'Early Records,' *Bull. of Institute of Historical Research*, v, 151.

⁴ Papal Bulls, 55/1; Rymer, *Foedera*, i, 540; Prynne, *Records*, iii, 176; Potthast, *Reg.*, 21204.

⁵ Rymer, *Foedera*, i, 553; Potthast, *Reg.*, 21271; Palgrave, *Antient Kalendars*, i, 26; *Red Book of the Exchequer*, iii, 1044. The original is Cotton MS. Cleop. E i, fol. 210⁺.

the dates of the two letters not only receives no evidential confirmation but also has to face an eloquent negative silence. The extant issue and liberate rolls preserve no trace of any sum issued by the exchequer for that purpose,¹ and no papal acquittance appears to have been issued during the period for any sum other than the 8,000 marks and its component parts. The lack of an acquittance is the more convincing because such documents were preserved carefully at the royal exchequer during the reign of Edward I. In a calendar of the documents found in the treasury in 1323 by Bishop Stapledon, an acquittance from the pope or the papal collector was listed for every render of tribute which is now known to have been made during the reigns of Edward I and Edward II,² but none appears for any payment of 2,000 marks made between 1275 and 1277. Nor does any such instrument appear in a similar list compiled in the chancery in 1315.³ The only alternative is that the payment was never made, and that the demand of John in 1276 and the acquittance of Nicholas in 1278 overlooked 2,000 marks by accident or design. Possibly it was for this reason that Edward I took the trouble to obtain from Martin IV a second acquittance for the same sum.⁴

The render of 8,000 marks was preparatory to an attempt of the king to rid himself of the irksome obligation entirely. On 11 February 1278 royal messengers were sent to the pope⁵ with the request that the tribute might be paid henceforth by certain abbots and priors of the kingdom to whose monasteries the king was prepared to assign sufficient lands and rents to meet the charge. The avowed object of the king was to ensure regularity of the payment of the tribute in the future.⁶ A motive which he did not express to the pope was a desire to arrange the payment so that it would not be so openly a humiliating sign of the dependence of the English crown. That, at least, was what Nicholas III read between the lines, for he denied the royal petition on the ground that it would not be compatible with the dignity of the apostolic see. He had the grace to add that it would not be to the advantage of Edward himself,

¹ This is said subject to the usual qualification that I may have overlooked an entry relating to the subject. As all searchers of such records know, it may be done easily.

² Palgrave, *Antient Kalendars*, I, 25-27, 84.

³ *Red Book of the Exchequer*, III, 1044-45.

⁴ 3 February 1282: Prynn, *Records*, III, 279; *C.C.R.* 1279-88, p. 189; Potthast, *Reg.*, 21845; Palgrave, *Antient Kalendars*, I, 27; *Red Book of the Exchequer*, III, 1045; *Cal. of Documents relating to Ireland*, II, 442.

⁵ Date of their safe-conduct. They were John of Darlington, William of Louth and Henry of Newark: *C.P.R.* 1272-81, p. 259.

⁶ The king's petition is known only by the pope's reply: Jensen, 'Denarius Sancti Petri,' *T.R.H.S.*, new ser., XIX, 255, 256; Rymer, *Foedera*, I, 560; *Regs. de Nicolas III*, 112; *Cal. Pap. Regs. Letters*, I, 455; Potthast, *Reg.*, 21374; *Red Book of the Exchequer*, III, 1045; Papal Bulls, 29/9.

but he offered no explanation of this assertion. The matter evidently weighed upon Edward's mind, for he was not content to accept a refusal. In 1292 he placed virtually the same petition before Nicholas IV, but again it was denied. Nicholas IV answered that he had reviewed the decision rendered by Nicholas III and had reached the same conclusion.¹

After Edward I finally rendered the eight thousand marks, he made no further payments for several years. Possibly he neglected the tribute because Nicholas III presented no demand for it. Martin IV, whose need for money was urgent, turned to this resource early in his pontificate. On 21 August 1281 he asked the king to deliver to Geoffrey of Vezzano 3,000 marks already due and 1,000 more which would become due at the next Michaelmas.² On the same date a batch of instructions was issued to Geoffrey.³ He was to go to the king and insist that satisfaction for the debt be given. He was to transfer the money received to certain associates of two firms of cameral merchants, taking their receipt for the assignment and forwarding it to the papal camera. He was empowered to acquit the king in the name of the pope,⁴ and, to guard against the possibility that the king might delay the payment on the ground that such an acquittance was inadequate, the pope sent to Geoffrey an acquittance drawn up in advance and sealed with the papal bull. The collector was to keep the existence of this letter secret, unless the king should withhold payment on that score. If he should not delay, Geoffrey was to return the papal acquittance, cancelled by his seal, to the papal camera by special messenger.⁵ These extraordinary precautions proved to be unnecessary. Edward was satisfied with the papal letter which authorized the collector to give an acquittance in the name of the pope. With exemplary promptness he met the debt by assignment on the Italian merchants

¹ 1 March: Jensen, 'Denarius Sancti Petri,' *T.R.H.S.*, new ser., XIX, 262; *Regs. de Nicolas IV*, 6952; *Cal. Pap. Regs. Letters*, I, 557; Potthast, *Reg.*, 23935.

² Jensen, *loc. cit.*, XIX, 256; Rymer, *Foedera*, I, 597; Potthast, *Reg.*, 21781; *Red Book of the Exchequer*, III, 1045. As Bliss summarizes the letter, only 3,000 marks were demanded: *Cal. Pap. Regs. Letters*, I, 475.

³ Jensen, *loc. cit.*, XIX, 256-58.

⁴ Bliss summarizes this letter as follows: 'Faculty to the same [Geoffrey] to return to the king the four years cess as soon as satisfaction has been made': *Cal. Pap. Regs. Letters*, I, 475. This summary, which is as far from the truth as can well be imagined, seems to rest upon a mistranslation of 'refutationem.' It can mean 'return,' but in this whole series of letters it means 'acquittance.' It is the word used in the acquittance which Geoffrey gave for the 4,000 marks: Cotton MS. Cleop. E I, fol. 213^v. It was used in the same way in a letter of John XXI on the subject: Rymer, *Foedera*, I, 540. The editor of the Close Rolls translated it 'acquittance': *C.C.R. 1279-88*, p. 189. See also Du Cange under 'Refutare' and 'Refutatio.'

⁵ The misunderstanding by Bliss of 'refutatio' gives his summary of this letter also a meaning wide of the truth: *Cal. Pap. Regs. Letters*, I, 475.

who were collectors of customs at Newcastle-on-Tyne, Hull and other ports,¹ and Geoffrey, on 8 November 1281, issued to the king a letter of acquittance for 4,000 marks.²

The next papal demand for the tribute was made by Martin IV on 13 February 1284. He asked for delivery to Geoffrey of 2,000 marks due at the preceding Michaelmas.³ The letter was sent to the collector with instructions to present it and insist upon the payment. He was empowered to give acquittance in the name of the pope,⁴ and ordered to assign the money to English representatives of specified firms of cameral merchants, forwarding their letters of obligation to the papal camera.⁵ Again Edward met the demand promptly. On 7 July a writ of liberate directed delivery of 2,000 marks to Geoffrey for the arrears of census due for the tenth and eleventh years of his reign.⁶ The exceptional readiness with which Edward met both demands of Martin IV may find its explanation in the negotiations which he was then conducting at the papal court. Both in 1281 and in 1284 he was seeking from the pope authorization for the payment to him of the yield of the sexennial tenth which had been levied from the English clergy for a crusade by the order of the second council of Lyons. At the later date he was also petitioning Martin IV to impose upon the English clergy a new tenth and to grant to him the proceeds.⁷

Whatever motives may have governed Edward in making the preceding payments, he used the tribute subsequently as a lever for obtaining favors from the apostolic see. A request made by Honorius IV for the render of 3,000 marks due at Michaelmas 1286 either was not received or was ignored by him.⁸ Nicholas IV, soon after his election, wrote to the king, asking him to pay the tribute for the three years concerning which Honorius had written to him and for the two additional years which would end at the next Michaelmas. The letter was sent to Geoffrey of

¹ Madox, *Exchequer*, II, 137, note a.

² Cotton MS. Cleop. E I, fol. 213⁺; Prynn, *Records*, III, 279, 312; *C.C.R. 1279-88*, p. 189; Palgrave, *Antient Kalendars*, I, 26; *Cal. of Documents relating to Ireland*, II, 442.

³ Jensen, 'Denarius Sancti Petri,' *T.R.H.S.*, new ser., XIX, 260; Rymer, *Foedera*, I, 638; Potthast, *Reg.*, 22102; *Cal. Pap. Regs. Letters*, I, 477.

⁴ Bliss again summarizes the letter as an instruction to return to the king the tribute after he had received it.

⁵ Jensen, *loc. cit.*, XIX, 261; Rymer, *Foedera*, I, 639; Potthast, *Reg.*, 22103; *Red Book of the Exchequer*, III, 1045; *Cal. Pap. Regs. Letters*, I, 477.

⁶ Prynn, *Records*, III, 318; Rymer, *Foedera*, I, 644.

⁷ Below, pp. 337, 338.

⁸ The letter of Honorius is mentioned in a letter of Nicholas IV: Rymer, *Foedera*, I, 683. Honorius must have written in 1286 or before 3 April 1287, on which day he died. If it was sent to the collector for delivery in person, Edward may not have received it, since he went to Gascony in May 1286, whence he did not return until August 1289.

Vezzano with the customary instructions.¹ Edward, who was abroad, took no action upon the demand until after his return in 1289, probably because the papal collector had no opportunity to present the letter until that time.² On 18 August he attested a warrant for delivery to Geoffrey of 5,000 marks for the tribute from the twelfth to the sixteenth years of his reign in return for a sufficient acquittance from the collector.³ The writ was not executed, probably because Edward decided that it would be useful to dispatch the money to the papal court, where his envoys were seeking for him various concessions.⁴ He transmitted from the wardrobe,⁵ by the Ricciardi of Lucca, to his nuncios 6,000 marks, which they delivered through the same firm to the papal camera in payment of the tribute until Michaelmas, 1289.⁶ The papal acquittance for the sum was issued on 4 November 1289.⁷ This delivery at Rome of 1,000 marks more of the tribute than the pope had requested appears to have been part of a heavy bid for favor which Edward was making at the time. One of his envoys distributed to four cardinals gifts which varied from 800 to 6,000 florins.⁸ Three days after Nicholas IV issued his acquittance for the tribute, he announced the grant to Edward of the yield of a sexennial tenth to be imposed upon the English clergy by the apostolic see. The concession was the culmination of negotiations which the king had been conducting with successive popes for many years.⁹ On 16 November the papal chancery expedited the dispensation necessary for the marriage of Edward's son to the daughter of King Eric of Norway, the heiress of the throne of Scotland, who were related within the third degree.¹⁰

For the remainder of his reign Edward allowed the tribute to go unpaid.¹¹ In 1292 he made his second attempt to transfer the charge to cer-

¹ Rymer, *Foedera*, I, 683; *Regs. de Nicolas IV*, 7014, 7015; *C.C.R. 1288-96*, p. 51; Potthast, *Reg.*, 22688.

² The letter was delivered to the keeper of the wardrobe to be filed on 19 August: *C.C.R. 1288-96*, p. 51. Apparently the king had received it recently.

³ Prynne, *Records*, III, 391; Webb, *Household Expenses*, p. 165, n. 40.

⁴ Otho de Grandison and William de Hothum were sent from Gascony on 8 May. They left Rome on 7 November and reached England on 31 December: *Rôles Gascons*, II, 1495; Stevenson, *Documents illustrative of the History of Scotland*, I, 90, 91, 136; Exch. K.R. Accounts, 352/12.

⁵ Exch. K.R. Accounts, 352/22.

⁶ Arias, *Studi e Documenti*, p. 39.

⁷ Palgrave, *Antient Kalendars*, I, 26, 27, 99; Rymer, *Foedera*, I, 719; *Regs. de Nicolas IV*, 7518; Potthast, *Reg.*, 23102.

⁸ The total was 11,800 florins, valued at £1431 5s. 10d.: Exch. K.R. Accounts, 352/21.

⁹ Below, pp. 334-40.

¹⁰ Potthast, *Reg.*, 23118; Rymer, *Foedera*, I, 721. Prynne and Redpath suggest that the render of tribute was made primarily to facilitate the obtaining of this dispensation: *Records*, III, 391; *Border History of England and Scotland*, p. 115. The royal envoys, however, were seeking the grant of the tenth at the same time.

¹¹ Hook states that king and parliament, in 1289, refused to pay tribute to the pope: *Lives of Archbishops*, III, 358. He gives no authority for his statement, and I have found none.

tain monasteries.¹ After that failed, he ignored papal requests for payment until just before the close of his reign. For several years after 1289, no demand for payment appears to have been made. Geoffrey of Vezzano, who remained in England as papal collector until 16 March 1300, was not specifically authorized by his known general commissions to collect the tribute, unless it was understood to be included under census or other dues.² This is improbable, for on every known occasion when he presented to the king a request for the render of the tribute, he had received a commission for the particular occasion. Since no commission of this type appears to have been issued to Geoffrey after 1289, it may be assumed that Edward received no request for payment of the tribute until Boniface VIII wrote to him on 18 March 1301, asking for the render of 12,000 marks to cover the arrears of eleven years and the sum due for the current year ending at the next Michaelmas.³ The letter was sent, with the usual instructions concerning its presentation to the king, the issue to the king of an acquittance, and the assignment of the money to members of designated firms of cameral merchants, to Bartholomew of Ferentino, a canon of London,⁴ who had been appointed recently one of the collectors of a triennial tenth imposed on the English clergy by Boniface VIII.⁵ Since the king was granted half the proceeds of the tenth,⁶ Boniface VIII was asking a favor in return for another. Edward did not see the affair in that light. He not only failed to make any payment to Boniface VIII, but Gerard of Pecorara, who was commissioned by Benedict XI to levy the tribute,⁷ could report, when he was expelled from England late in 1304,⁸ only that the census was owed by the king for fifteen years ended at the last Michaelmas.⁹

With the election of Clement V to the papacy, Edward again employed the tribute as a means of facilitating the negotiation of desired privileges. While the newly elected pope was awaiting his coronation at Lyons, a

¹ Above, pp. 160, 161.

² Below, pp. 574, 610-23.

³ *Regs. de Boniface VIII*, 4331; Jensen, 'Denarius Sancti Petri,' *T.R.H.S.*, new ser., xix, 264; Rymer, *Foedera*, i, 931; Baumgarten, *Untersuchungen*, p. 141; *Cal. Pap. Regs. Letters*, i, 598; Potthast, *Reg.*, 25030; Palgrave, *Antient Kalendars*, i, 27; Papal Bulls 6/6.

⁴ *Regs. de Boniface VIII*, 4332, 4333; Jensen, *loc. cit.*, xix, 264, 265; *Cal. Pap. Regs. Letters*, i, 598.

⁵ *Red Book of the Exchequer*, iii, 1048-52.

⁶ *Ibid.*, iii, 1052, 1053; Rymer, *Foedera*, i, 929, 930.

⁷ He was commissioned not only to receive the arrears, but also to collect subsequent payments as they fell due: Lunt, *Papal Revenues*, i, 195, 196.

⁸ *Ann. Londonienses*, p. 134.

⁹ Lunt, 'Account,' *E.H.R.*, xxviii, 321. This rendered useless the assignment by Boniface VIII to the Clarentini and Spini of the unpaid shares of the tribute of England and Sicily belonging to the deposed cardinals, James and Peter Colonna, as far as England was concerned: Baumgarten, *Untersuchungen*, p. 190.

large delegation of envoys came to him from Edward I,¹ bearing costly gifts and seeking extensive favors.² Many of the royal requests were granted.³ The king's ambassadors promised on their side that the king would pay before Michaelmas, 1306, the arrears of the tribute for fifteen years.⁴ The promise was not kept, and early in 1307 Clement V sent nuncios to the king to remind him of his undertaking.⁵ In response, Edward went so far as to issue an order to the treasurer for the payment of the fifteen thousand marks. The treasurer had even assigned the money to be transmitted to the pope, when the death of Edward I on 7 July stopped further action on the writ.⁶

Edward II was even more remiss in his payment of the tribute than his father had been. His constant attitude toward the obligation was that which his father had maintained during the second half of his reign. He paid the tribute only when some favor might be gained by it. William Testa, who had been appointed collector by commissions issued in February and March, 1306, was empowered to collect the tribute,⁷ but he met with no success. In 1310 he reported that the tribute was then owed for twenty years.⁸ On 28 October 1309 Clement V wrote both to the archbishop of Canterbury and to the bishop of Worcester, recounting the sad circumstances which had prevented him from recovering 15,000 marks of the tribute in 1307, and directing each of them to urge Edward II to meet the debt.⁹ Though the king had obtained from the pope only a few months before extensive concessions with regard to his receipt and retention of the proceeds of several clerical tenths,¹⁰ he gave no heed to the papal exhortations concerning the tribute. William Testa, in his later accounts, could report no larger receipts from the royal census than he had recorded in 1310.¹¹ When he was relieved of his office on 8 March

¹ Letter of Clement V, 28 October 1309: Rymer, *Foedera*, II, 98.

² Lunt, 'First Levy,' *A.H.R.*, XVIII, 52.

³ *Ibid.*; below, pp. 382, 488.

⁴ Known by a letter of Clement V, dated 28 October 1309: Rymer, *Foedera*, II, 98; Lambeth Palace Library, Reg. of Winchelsea, fol. 7. The letter says only 'next Michaelmas,' which must have been 1306, because Clement did not arrive at Lyons until 1 November 1305: Mollat, *Les Papes*, p. 32. At that date, however, 17,000 marks were due.

⁵ They were Peter the Spaniard, cardinal bishop of Sabina, and Amanieu de Lebre: Rymer, *Foedera*, II, 98. Edward received news that these envoys were coming before 3 January 1307: Deputy Keeper, *Seventh Report*, 242, nos. 1669, 1670. The royal safe-conduct of Peter was dated 10 December 1306: Rymer, *Foedera*, I, 1005. He apparently did not arrive in England until about the middle of March: Lunt, 'William Testa,' *E.H.R.*, XLI, 344, n. 1.

⁶ Rymer, *Foedera*, II, 98.

⁷ Lunt, 'William Testa,' *E.H.R.*, XLI, 333, 334.

⁸ *Ibid.*, p. 354. The twenty years were completed on Michaelmas, 1309.

⁹ Rymer, *Foedera*, II, 98; Palgrave, *Antient Kalendars*, I, 23, 24; Lambeth Palace Library, Reg. of Winchelsea, fol. 7.

¹⁰ Lunt, 'William Testa,' *E.H.R.*, XLI, 349.

¹¹ *Ibid.*, 355-57; below, pp. 682-84.

1313, he had recovered nothing from the tribute. Several years later he gave to the receiver of the moneys of the college of cardinals a book of accounts, which had belonged originally to Geoffrey of Vezzano, and had been brought up to date by Testa himself. It contained entries which displayed the king of England to have owed 24,000 marks for the tribute at Michaelmas, 1313.¹ William de Balaeto, the successor of William Testa, who was commissioned to demand and receive from the king the yearly census for past and future years,² had no better fortune. When he ended his term of office on 29 May 1317,³ he had obtained nothing from the royal tribute.⁴

On the accession of John XXII, Edward II began to utilize the tribute as a means of facilitating concessions which he desired from the new pope. On 15 December 1316 he sent to Avignon an embassy which bore costly gifts to the pope and was authorized to grant pensions to cardinals at discretion. The envoys met with a large measure of success. In the closing days of March 1317, John XXII conceded to the king a loan from the proceeds of a tenth already levied from the English clergy and outright possession of another tenth to be imposed subsequently.⁵ The king's plea to have an end put to the payment of tribute was, however, denied.⁶ Indeed, the shoe was put upon the other foot. On 18 November 1316, before the royal envoys left England, John had warned Edward that he must take measures to pay the census owed to the Roman church.⁷ At the same time he ordered Archbishop Reynolds to secure from the king the payment of the tribute which was said to be in arrear for twenty-six years.⁸ Subsequently he excused the king for the delay in payment of the tribute for the current year.⁹ The archbishop apparently did not carry out his instructions until after the royal embassy had left England for Avignon. On 1 March 1317 he informed the pope that the king would answer by his own messengers.¹⁰ Edward acknowledged that he owed 24,000 marks,¹¹ and on 1 April the royal ambassadors agreed that it

¹ The account says: 'Up to the year 1314': Oblig. 11, fol. 20; Kirsch, *Finanzverwaltung*, p. 35, n. 1.

² Jensen, 'Denarius Sancti Petri,' *T.R.H.S.*, new ser., xix, 267; *Cal. Pap. Regs. Letters*, II, 117.

³ *Cal. Pap. Regs. Letters*, II, 436.

⁴ I have found none of his reports, but a later statement of the amount due shows that nothing had been paid. There is no record of payment to him in the issue or liberate rolls.

⁵ Below, p. 402.

⁶ The letter of the king was dated 16 December 1316. Notice of it is given in a papal letter: *Cal. Pap. Regs. Letters*, II, 443.

⁷ The year of the date established by mention of William de Balaeto as collector: *Cal. Pap. Regs. Letters*, II, 434.

⁸ *Ibid.*, II, 439. The lacking year of the date is established by the date of the archbishop's reply.

⁹ Theiner, *Vet. Mon. Hibernorum*, p. 193.

¹⁰ Lambeth Palace Library, Reg. of Reynolds, fol. 237^v.

¹¹ Oblig. 11, fol. 20; Arm. xxxv, vol. 140, fol. 25; Kirsch, *Finanzverwaltung*, p. 35, n. 1.

should be paid in quarters at the four succeeding festivals of Michaelmas.¹ On 9 April they delivered, through the Bardi, 1,000 marks for the tribute of the year from Michaelmas, 1316 to Michaelmas, 1317.²

In this calculation of arrears three years appear to have dropped out of sight. The last payment before that of 9 April 1317 had covered the period to 29 September 1289. William Testa stated correctly in 1310 that the arrears of twenty years were then owed, and again in 1320 that the arrears due in 1314 amounted to the sum of 24,000 marks. These sums had been due respectively at Michaelmas, 1309 and Michaelmas, 1313. Yet the papacy accepted 24,000 marks as the extent of the indebtedness of Edward II up to Michaelmas, 1316, though no payments had been rendered between 1313 and 1316. The sum must have been accepted as satisfactory with full knowledge that more was actually due, since the pope, on 18 November 1316, had asserted that no payment had been made for twenty-six years, but the camera may have been mistaken with regard to the amount of the deduction which was being made, since, at Michaelmas, 1316, the debt had run for twenty-seven years.

John XXII maintained the attempt to collect the tribute for several years. In May 1317, he sent to the British Isles as nuncios, Gaucelme, cardinal priest of SS Pietro e Marcellino, and Luke, cardinal deacon of S Maria in Via Lata, to mediate between the kings of England and Scotland and to transact a variety of other business.³ One of the duties committed to them was to collect the tribute and to seek from the king render of homage and fealty.⁴ In their commission the terms of the surrender of the kingdom by John were set forth and attention was called to the failure of Edward II or his father to fulfil the requirement of John's charter with regard to the performance of homage and fealty by each successive occupant of the throne. On 28 October 1317 Rigaud d'Assier, who had been appointed general collector in May,⁵ was authorized to receive and exact the tribute without derogation to the commission given earlier to the two cardinals.⁶ He was also ordered to insist that Gaucelme and

¹ *Cal. Pap. Regs. Letters*, II, 443, 444; Reg. of Andreas Sapiti, quoted by Kirsch in *Hist. Jahrbuch*, XIV, 591; Theiner, *Vet. Mon. Hibernorum*, p. 193; MS. Barberiniano Latino 2126, fols. 119, 119^v.

² Two letters of acquittance for this payment were dated respectively 9 and 13 April: Reg. of Andreas Sapiti, *loc. cit.*; *Cal. Pap. Regs. Letters*, II, 140, 444; Rymer, *Foedera*, II, 326; Palgrave, *Antient Kalendars*, I, 27; Baumgarten, *Untersuchungen*, p. 141; *Red Book of the Exchequer*, III, 1047; Oblig. 4, fol. 9^v; 11, fol. 11^v. The payment was entered in the register of the camera on 10 April: *Introitus et Exitus* 16, fol. 5; Göller, *Einnahmen unter Johann XXII*, p. 34, no. 22.

³ *Cal. Pap. Regs. Letters*, II, 127-32.

⁴ *Ibid.*, II, 128, 417, 429; Jensen, 'Denarius Sancti Petri,' *T.R.H.S.*, new ser., XIX, 269-71. Baumgarten, who gives only an extract, dates the letter wrongly 1 May 1318: *Untersuchungen*, p. 167.

⁵ Below, p. 623.

⁶ *Cal. Pap. Regs. Letters*, II, 430; Rymer, *Foedera*, II, 345; Palgrave, *Antient Kalendars*, I, 84.

Luke should do their duty touching the payments of census promised by the king and his envoys. The nuncios were informed by letters of the same date that they must press the king for the first quarter of the 24,000 marks which he had promised to pay on Michaelmas, 1317.¹ On 7 July 1318 the pope brought to the king's attention his failure to pay either the tribute for the current year or the quarter of the arrears which he had promised.² The papal envoys followed their instructions and placed the matter before the king, but it was all to no purpose. The only satisfaction which the cardinals received was a royal letter to the pope, dated 25 August 1318, the same day on which the royal safe conduct for their return to the papal court was issued. In the letter Edward explained that he could not pay the arrears immediately on account of his heavy expenditures for war, and promised to meet the obligation 'as soon as possible.'³ He made no mention of homage and fealty, but there is no reason to suppose that he rendered them.

Though Edward failed to keep his engagement with regard to the arrears, he made an effort of brief duration to meet the current instalments as they fell due. The effort did not begin until the pope reminded him, by a letter dated 19 April 1319, that he was in arrear.⁴ On 5 June he arranged with the bishops of Ely, Norwich and Winchester that they should pay 2,000 marks to Rigaud d'Assier and receive reimbursement on 11 November.⁵ The exchequer was evidently too poor to stand the strain of so large a disbursement before the renders of the Michaelmas session had been received. By means of this loan the king not only paid his debt for 1318 but also anticipated the instalment which would fall due on Michaelmas, 1319. Rigaud gave to the king an acquittance for the sum,⁶ but the king, to make assurance doubly sure, secured from Gerald d'Assier, Rigaud's executor, on 10 March 1324, the papal commission which authorized Rigaud to collect the tribute and an acknowledgment that Rigaud had received 2,000 marks from the king by virtue of the commission.⁷ Rigaud duly entered receipt of the sum in his account rend-

¹ *Cal. Pap. Regs. Letters*, II, 430.

² *Ibid.*, II, 421, 426.

³ Rymer, *Foedera*, II, 372.

⁴ *Cal. Pap. Regs. Letters*, II, 433. The year is missing from the date. The register in which it appears contains letters issued during the four years after 5 September 1316. The letter mentions the difficulties Edward had put in the way of the collector of Peter's pence and the reform of his household. The first statement refers to the royal prohibition placed upon Rigaud on 1 March 1318: above, pp. 65, 66. The second would seem to be a reference to the household ordinance issued on 6 December 1318: Tout, *Place of the Reign*, pp. 267, 268. On a later folio of the same register is a copy of the same or a similar letter which belongs to the period between 1 March 1318 and July 1319: *ibid.*, II, 437.

⁵ *C.P.R. 1317-21*, p. 341.

⁶ Palgrave, *Antient Kalendars*, I, 84.

⁷ K.R. Memo. Roll, 17 Edward II, Hilary Term, m. 5^v.

ered to the papal camera,¹ and transmitted the money through the agency of the Bardi² in time for the papal camera to deliver the share of the college of cardinals to its camera on 3 March 1320.³ When Edward delivered the money to Rigaud, he notified the pope of the transaction, and at the same time asked to have the payment of the next year deferred on account of the drain on his resources caused by the war.⁴ Despite this request, Edward sent 1,000 marks for the tribute due in 1320 by his nuncio, Adam de Orlton, the bishop of Hereford.⁵ It was received by the papal camera on 27 May.⁶ The sum was computed at four florins to the mark, which was the rate of exchange customarily allowed on this revenue during the pontificate of John XXII.⁷ When Edward made payment in 1319, the envoys of the clergy of the province of Canterbury were seeking papal approval for the grant of a tenth to the king,⁸ and when he sent 1,000 marks in 1320, his own envoys were seeking from the pope the imposition of another tenth upon the English clergy.⁹

After 1320 Edward II never rendered another payment of tribute. On 12 April 1323 Rigaud d'Assier died at the papal court.¹⁰ His successor, Hugh d'Angoulême, who was appointed on 29 July, filled the office of English collector during the remainder of the reign.¹¹ His commissions recorded in the papal register did not mention the tribute specifically. In 1324 and in 1326 papal nuncios who were concerned primarily with the

¹ Lunt, *Papal Revenues*, II, 42.

² Göller, *Einnahmen unter Johann XXII*, p. 631.

³ Schäfer, *Die Ausgaben*, p. 406. The payment is there stated to be for the two years ending at Easter, 1319. The same terms are used in an acquittance for 1320, where the entry in the *Introitus et Exitus* Register makes it clear that Easter was inclusive. Andreas Sapiti, a royal proctor at the papal court, recorded the payment erroneously as being for the two years completed at Easter, 1317: Kirsch, 'Andreas Sapiti,' *Hist. Jahrbuch*, XIV, 591.

⁴ Rymer, *Foedera*, II, 399. An undated memorandum of the instructions to be given to the royal nuncios who were to notify the pope of the payment indicates that half of it was designed for the pope and half for the cardinals: Chancery Misc., Bdle. 27, file 12, no. 7.

⁵ The bishop was charged at the exchequer with the sum issued to him for the payment, and he was not given credit in the Pipe Roll with having made the payment until 18 Edward II (1324-25). Even after that, the sum was demanded of him, and he had to render an account in 1327 in order to secure correction of the error: K.R. Memo. Roll 103, m. 51^v.

⁶ *Introitus et Exitus* 33, fol. 2^v; Göller, *Einnahmen unter Johann XXII*, p. 46, no. 104. The payment was said to be for the two terms of Michaelmas and Easter. The papal acquittance bore the same date: *Papal Bulls*, 25/7; *Cal. Pap. Regs. Letters*, II, 206; *Red Book of the Exchequer*, III, 1047, 1048; Palgrave, *Antient Kalendars*, I, 84; Baumgarten, *Untersuchungen*, p. 142. The camerarius of the college of cardinals acknowledged receipt from the papal camera of half the sum on 20 June 1320: *Inst. Misc.* 704; Baumgarten, *Untersuchungen*, p. 143.

⁷ *Introitus et Exitus* 238, fol. 2; Baumgarten, *Untersuchungen*, p. cxli.

⁸ Papal permission had been given on 29 May, but the king could not have known this on 5 June: below, p. 407.

⁹ Below, pp. 409, 410.

¹⁰ Below, p. 623.

¹¹ *Cal. Pap. Regs. Letters*, II, 451-53, 486.

establishment of peace between England and France were commissioned to ask the king for payment of the tribute,¹ and in 1326 the pope also wrote to Edward making the same request.² At intervals of two years the king wrote to the pope or to the cardinals, begging to be excused for the delay. His reason was the scarcity of money produced by the wars with Scotland, and in 1322 he added internal rebellion as another cause of his poverty. He regularly accompanied the excuse with the expression of a hope that he would be able to pay the debt when his existing difficulties were overcome.³ These expressions of goodwill constituted the only satisfaction which John XXII obtained for the tribute from Edward II after 1320. In a statement of account made with Edward III on 5 January 1330, John XXII placed the sum which the young king owed for the arrears of the tribute left from the time of his father and grandfather at 30,000 marks.⁴ The sum included 6,000 marks owed for the period from Michaelmas, 1320 to Michaelmas, 1326, and 24,000 marks which Edward II had contracted to pay in 1317. All of the arrears which had accumulated after Michaelmas, 1326 were calculated in the indebtedness incurred during the reign of Edward III.⁵

During the reign of Edward II the policy of passive resistance to the payment of tribute, which had begun in the last years of the reign of Henry III, reached a culmination. As long as the complacent Clement V occupied the pontifical chair, Edward II made no pretense of meeting the obligation. As soon as a new pope was elected in 1316, he petitioned to be rid of the burden entirely. When he found John XXII more insistent upon his financial rights than his predecessor had been, he gave way, apparently in the hope that his acquiescence would help to secure the many favors which he desired. They included possession of the yield of two tenths paid by the English clergy, which was a sum far in excess of the 4,000 marks which he paid for tribute. During the years from 1317 to 1320 over which these payments extended, Edward obtained from the pope further grants of a tenth from the clergy of the province Canterbury and of another from the clergy of both provinces.⁶ In addition to the tenths, John ceded to the king, in April 1317, one-half the first year's income from a triennial levy of annates, though he had originally re-

¹ Rymer, *Foedera*, II, 581, 629.

² 22 February: *Cal. Pap. Regs. Letters*, II, 476.

³ 8 August 1322, 19 November 1324, 10 June 1326: Rymer, *Foedera*, II, 494, 581, 629; Roman Roll 5, m. 9.

⁴ Collectorie 227, fol. 34v; Göller, *Einnahmen unter Johann XXII*, pp. 64*, 65*; Rymer, *Foedera*, II 786.

⁵ Namely, 3,000 marks from Michaelmas, 1326, to Michaelmas, 1329.

⁶ Below, pp. 402, 407-9.

served the whole of the proceeds for the papal camera.¹ Edward II thus improved upon the policy of his father. With a minimum expenditure of 4,000 marks and a broken promise to pay the much larger sum of arrears, he was highly successful in obtaining papal concessions of great financial value to him. The papal grants were not made merely because the tribute was paid. The refusal of Edward's petition for a tenth in 1320 and the approval of his similar petition in 1322² give sufficient evidence that the two were not related as 'quid pro quo,' and other motives played a part in actuating John XXII to make financial concessions to Edward II,³ but without the promise and the payments the royal petitions might have received the 'fiat ut petitur' less frequently than they did.

Indeed, the withholding of desired favors appears to have been practically the only means by which the papacy could hope to persuade reluctant kings to pay the tribute. During the period of more than a century from the establishment of the tribute to the close of the reign of Edward II, no pope ever threatened to excommunicate an English king for failure to pay the tribute, unless papal action was taken which is not revealed in the extant records of the subject. The only open threat of any ecclesiastical censure was employed by Urban IV, who proposed to place an interdict upon the royal chapel if Henry III continued to neglect payment of arrears which had been allowed to accumulate for nearly three years. The popes used ecclesiastical censures effectively to enforce the payment of revenues levied from the clergy, but such weapons could not be hurled at a powerful king for mere failure to pay a debt with the same freedom that they might be turned against even the highest of the pope's clerical subjects. In 1258, to be sure, the threat of excommunication for failure to meet an instalment on the debt owed for the Sicilian crown caused Henry III to summon the great council which led to the baronial revolt.⁴ But the imposition of the sentence was the penalty provided in the contract which Henry III had voluntarily signed several years before.⁵ The payment of the tribute also rested upon a contract, but the instrument itself made no provision for the use of ecclesiastical censures as a means of enforcing the render of services promised. The popes manifestly did not feel free to enforce the service by that means, and they found no other except exhortation, which, whether it was given in a supplicatory or a mandatory spirit, had behind it no adequate sanction. As long as the successors of John regarded his contract as an obligation which it was

¹ *Cal. Pap. Regs. Letters*, II, 127, 414.

² Below, pp. 409, 410.

³ Below, pp. 417, 418.

⁴ Lunt, *Valuation of Norwich*, p. 92; Treharne, *Baronial Plan*, pp. 64, 65.

⁵ Rymer, *Foedera*, I, 318.

their duty to fulfil, the papacy had no difficulty in collecting the tribute beyond that caused by the occasional poverty of the king's exchequer. About the middle of the thirteenth century the sense of duty wore thin, and doubt began to be expressed with regard to the right of John to bind his successors without the consent of his barons. When the barons were in control of the government, they felt no obligation whatever, and even Henry III began to consider payment of the tribute in relation to the grant of favors by the popes. By the closing years of his reign his sense of obligation had been so dulled that it could not long rise superior to his financial exigencies. Edward I seems to have experienced some feeling of obligation in the early years of his reign, but he soon began to use payment of the tribute as a mere pawn in his negotiations with the papacy, and during the strenuous period of his wars he evinced no feeling of duty to pay the tribute. Edward II felt no moral obligation. He paid what little he did solely as an aid in procuring favors from the papacy.

The most eloquent testimony to the real weakness of the papal position is given by statistics. If the tribute had been paid every year from 1213 to Michaelmas 1326, the papacy would have received 113,000 marks. It actually did receive 78,000 marks.¹ Two thousand of the unpaid 35,000 marks dropped out of the calculation of the debt during the reign of Edward I and 3,000 during the reign of Edward II. Edward III acknowledged his indebtedness for the remaining 30,000 marks, but he never met the obligation.² All of this debt was accumulated during the reigns of Edward I and Edward II. John apparently paid on time. Henry III was often a little tardy. He ended his reign 5,000 marks in debt, but his son met this obligation. Edward I, in the thirty-five years of his reign, ran up a debt of 17,000 marks. His son, during his shorter reign of twenty years, added to it 13,000 marks. After the baronial revolt in the reign of Henry III the royal tribute of England became a financial resource of uncertain value to the papacy, and after 1289 its value was negligible.

6. METHOD OF LEVY

The tribute was ordinarily levied by the general collector of papal revenues. During the short periods when no general collector was present in England, if the apostolic see was occupied, the pope usually notified the king to whom the tribute should be paid. In 1233 the agents were

¹ Included in the sum are 1,500 marks due during the reign of John and 10,500 marks due during the reign of Henry III, concerning the payment of which I have been able to establish only a balance of probability.

² *Cal. Pap. Regs. Letters*, IV, 16; *Rot. Parl.*, II, 290.

the factors of a firm of Italian merchants, and in 1236 the agent was a papal chamberlain. Even when a collector was resident in the kingdom, the pope might ask the king to deliver the tribute to the treasurer of the Temple in London, to a firm of cameral merchants, or to a legate or nuncio other than the collector. When a papal legate with general powers was present in England for any significant length of time, it was customary for the legate and the collector to coöperate in the collection of the tribute. The king might send the money to the papal camera by his own messengers, if he preferred, and he often chose this method when the render of the sum due for the tribute was preliminary to a royal request for papal favors.

The general commission of a general papal collector did not ordinarily contain specific mention of the royal tribute, though possibly it may have been interpreted to be part either of the census or of the other unspecified dues which the collector was customarily ordered to collect. The papal collector, however, does not appear to have taken the initiative in asking the king to pay the tribute except on those occasions when he received definite instructions from the pope to do so, unless he received a separate commission to levy the tribute. The earliest special commission of the type which authorized the collector to seek, receive and give acquittance for the census owed by the king, both for the past and for the future when the times of payment should arrive, was, as far as I know, the one issued to Gerard of Pecorara on 15 February 1304.¹ From 1304 to 1327 the general collectors appear to have received commissions of this type.² From 1261 to 1304 the pope usually wrote to the king demanding payment of whatever sum was owed at the time. The letter was sent to the papal collector with instructions to present it to the king and with authorization to receive the particular payment mentioned in the letter and to give for it a valid acquittance. The king sometimes hesitated to accept such acquittances, and, when he did accept one, he required the collector to surrender the bull which empowered the collector to issue the acquittance. The bull was then kept on file in the exchequer along with the acquittance.

The procedure before 1261 is sketched in vaguer outline in the extant documents. The king ordinarily paid the tribute only on the presentation of a papal letter making demand for a specific payment. The letter was presented by the agent whom the pope designated to receive the pay-

¹ The commissions received from successive popes by Geoffrey of Vezzano are largely lacking.

² I have not found those issued to William Testa and Hugh d'Angoulême. The probability that the former had one is established by the regular inclusion of the tribute in his reports to the papal camera.

ment. Henry's arrangement for the regular payment of the tribute during his absence in France to the collector, Stephen, on the dates when it should fall due, gives rise to a conjecture that Stephen may have received a special commission of the type later issued to Gerard of Pecorara, but the cancellation of the arrangement before it became effective raises the question whether Henry may not have thought better of it for the reason that the collector possessed no such authority. Whether the acquittances were issued in this period by the papal agents who received the money or by the popes is not clear. The only acquittances which have come to my notice were issued by the pope or the papal camera for sums transferred to the camera by Italian merchants. Possibly it is significant in this connection that the king, when he accounted with Otto in 1226, asked the pope for an acknowledgment of all payments which had been made throughout his reign to Pandulph, to Otto and to the papal camera direct, but he may have been actuated by the desire to have one acquittance for a series of payments made at irregular intervals rather than by any feeling that the acquittances which he might have received from the collectors were inadequate.

Until the closing years of the reign of Henry III the pope sent a request for payment of the tribute nearly every year, unless the apostolic see was vacant, internal disturbances in England rendered payment impossible, or some other extraordinary event intervened. After 1266 the demands were presented only at longer intervals, which were of no uniform length. After 1304 the collector did not ordinarily receive such letters to present to the king, but relied upon his original special commission to collect the tribute. The pope in this period on many occasions sent to the king specific requests for the payment of the amount due, but they were usually intrusted for presentation to English prelates or to papal representatives other than the collector. They were designed to supplement the efforts of the collector, who was authorized in advance to present a demand for payment whenever payment should fall due. The development is indicative of a tendency on the part of the papal camera to give to the collectors more initiative and discretion.

CHAPTER IV

SUBSIDIES

1. GENERAL NATURE

FROM time to time the papacy supplemented its ordinary income by asking the clergy of some part of the Christian world to supply a pecuniary subsidy. Early papal subsidies were analogous to the aids which bishops sometimes received from the clergy of their respective dioceses, and like the episcopal aids they were patterned upon feudal gracious aids. The pope alleged some exceptional financial need as a reason for making the request and sought the consent of the prospective contributors for the levy. If his request was approved, he was then free to enforce payment of whatever tax had been granted by means of ecclesiastical censures. In 1179 the third council of the Lateran enacted a canon making it compulsory for bishops to obtain the consent of their subjects before exacting from them any aids or tallages, but the law did not apply to the papacy. Some of the papal aids levied in the thirteenth century do not appear to have been entirely voluntary. Throughout the period under consideration, however, the payers of papal subsidies seem to have had some option with regard to the nature or the amount of the tax to be levied, when they were not given complete power to refuse to grant an aid. This voluntary element, however much it may have been subordinated on occasion, distinguished papal subsidies from the taxes imposed upon the incomes of the clergy by papal mandate. As a rule, moreover, the papal subsidies of this period were not taxes assessed upon incomes, and, when they were, it was often the decision of the payers rather than that of the pope which made them so.¹

2. SUBSIDY OF 1173

Though a papal subsidy was levied in southern France as early as 1093,² the first known to have been paid by the English clergy was in 1173. Our sole knowledge of it comes from a brief passage in the chronicle of Ralph of Diceto. 'Nicholas, a subdeacon of the Roman church, who was sent across the sea by the lord pope,' he said, 'collected much money from archbishops, bishops, abbots, abbesses, priors, prelates to be converted to the use of the church laboring in a schism.'³ Though Ralph did not des-

¹ Lunt, 'Clergy and Taxation,' *Facts and Factors* by students of E. F. Gay, pp. 63, 64; *idem*, *Papal Revenues*, I, 77-81.

² Lunt, *Papal Revenues*, I, 77, 78; II, 201, 202.

³ *Historical Works*, I, 378, 379.

ignite the nature of the levy, the use of the formula, 'the church laboring in a schism,' labels it a voluntary subsidy.¹ Alexander III was at that time in France, because Frederick I was maintaining a rival pope in Italy. Deprived of many of the customary papal revenues as a consequence of his exile, he was forced to ask many groups of the French clergy for voluntary gifts and subsidies. The reason invariably given for the request was the difficulty of the church caused by the schism.² To the English subsidy the higher clergy alone contributed, and this also corresponds with Alexander's usual practice.³ We know nothing further concerning the nature of the subsidy, but if it was like those which Alexander sought in France, the prelates were merely exhorted to make charitable gifts, the amount being left to their discretion.⁴

3. SUBSIDY OF 1184

The second known request for a subsidy came to the English clergy as a consequence of action taken by Lucius III. In 1182 he was driven from Rome by the Romans themselves, and during the remainder of his short pontificate he was forced to find refuge in other parts of Italy. Two years later he began to beseech lay rulers to help him recover his power. When Frederick I came to Verona, where Lucius was then residing, he received an appeal to lead his army against the Romans. Though the emperor was no longer hostile to the papacy, he was not prepared to go to the length of attempting to restore the papal authority in Rome by force of arms.⁵ Contemporaneously the pope sought the aid of Henry II. During the first half of 1184, while Henry was in Normandy,⁶ papal nuncios came to him with the request that he and the English clergy would grant an aid 'for the defense of the patrimony of St Peter against the Romans.' The king kept the nuncios in Normandy while he sent his own messengers to England to ascertain what answer the bishops would advise him to give. Ralph Glanvill, who was principal justiciar, obtained the opinion of the bishops by summoning them to meet in council.⁷ Their deliberation resulted in the suggestion to the king that 'it could be

¹ Makower calls it a voluntary subsidy without explanation of his reason: *Constitutional History*, p. 27, n. 58.

² Draco Normannicus, pp. 727, 736, 737, 740, 752; Jaffé, *Reg.*, 11814; Migne, *Patrologia*, cc, 107-9, 405; ccvii, 468.

³ Lunt, 'Clergy and Taxation,' *Facts and Factors* by students of E. F. Gay, p. 87.

⁴ E.g., Migne, *Patrologia*, cc, 108, 109.

⁵ Robertson, *History of the Church*, v, 206.

⁶ Henry returned to England on 10 June: Eyton, *Court*, pp. 255, 256.

⁷ There is a possibility that representatives of the lower clergy were summoned, but it is not particularly probable: Lunt, 'Clergy and Taxation,' *Facts and Factors* by students of E. F. Gay, pp. 86, 87.

turned into a custom to the detriment of the kingdom, if he should allow the nuncios of the lord pope to come into England to make a collection.' Presumably they had in mind the subsidy which had been levied for the pope by a nuncio eleven years before, and feared that a repetition of the event might create an unfortunate precedent. They did not object to making a gift to the pope, for they advised the king to aid the pope as befitted his dignity, offering to reimburse him for his outlay. The king accepted their advice and presented to the pope a large sum of money.¹

How Henry was subsequently reimbursed does not appear. In 1185 Archbishop Baldwin ordered his suffragans to collect in each parish a tax which probably fell upon both clergy and laymen, but this imposition was levied to reimburse the king for a gift which he made to Heraclius, patriarch of Jerusalem, who had come to England seeking aid for the Christian cause in the Holy Land.² The lack of any mention in the Pipe Rolls from 1184 to 1186 of a render made by the bishops or others of the English clergy to the royal exchequer in repayment of the royal subvention to the pope gives no ground for an assumption that such a render was not made. The only allusion in the Pipe Rolls to the tax raised for the Holy Land in 1166 was the entry of £7 10s. expended for the ship 'which crossed with the alms for the oriental church,'³ and only fragmentary receipts from the Saladin tithe of 1188 were recorded there.⁴ A special board was established for receiving the latter tax,⁵ and the accounts for other taxes levied in this period were made up in like manner.⁶ We are thus left with no reason to doubt the statements of the chroniclers that a voluntary subsidy was paid by the English clergy through the king to the pope, but we are left also without any information about the nature of the subsidy.

4. SUBSIDY ORDERED BY THE POPE FOR THE KING IN 1217

The next request for the gift of a subsidy to the papacy which can be established with certainty was not addressed to the English clergy until more than forty years had elapsed.⁷ On one occasion during the interval

¹ *Gesta Regis*, I, 311; Roger of Hoveden, *Chron.*, II, 283.

² Lunt, *loc. cit.*, pp. 68-70; below, p. 419.

³ Lunt, *loc. cit.*, p. 65.

⁴ Pipe Roll Soc., *Pubs.*, XXXVIII, 11; new ser., v, 237; *Great Roll of the Pipe for the First Year of King Richard*, pp. 5, 12; Round, 'Saladin Tithe,' *E.H.R.*, XXXI, 447, 448.

⁵ *Great Roll of the Pipe for the First Year of King Richard*, p. 178.

⁶ Pipe Roll Soc., *Pubs.*, new ser., VI, *Introd.*, p. xv.

⁷ Stubbs inferred that Innocent III sought a pecuniary aid in 1207 from the royal writ which forbade the clergy at the council summoned to be held at St Albans to consider 'paying Romescot beyond the custom and several other unusual exactions': *Constitutional History*, II, 182; above, p. 57. John's prohibition was professedly based on rumors; no evidence warrants the assumption that the 'unusual exactions' included a subsidy, if they existed outside the imaginations of those who carried the rumors.

the papacy used its power to secure from the English prelates a subsidy for the king. In 1217, when the young Henry III was in dire financial straits, Honorius III ordered the bishops and prelates of England to pay to Guala for the king a subsidy in proportion to their resources. What the amount should be in each case was decided by the legate. The proceeds were to be expended in the service of the king by Guala with the advice of the payers and others of the king's lieges.¹ In this tax the voluntary aspect dropped nearly out of sight. The payment was mandatory and the prelates were given no power of assent or dissent. They probably had some discretion, however, with regard to the amounts they would give. The tax was not designed to be proportioned to income on a ratio common to all payers, but to consist of arbitrary sums. Each sum was probably established by bargain between Guala and the individual payer, giving to each prelate some voice in determining the extent of his own liability.² Evidence with regard to the actual levy of this aid appears to be entirely lacking.

5. SUBSIDY REQUESTED FOR THE KING BY PANDULPH

After Pandulph succeeded Guala as legate, he also requested the clergy to provide the king with pecuniary assistance. In a letter addressed to the prelates of the diocese of Lincoln, he exhorted them to give an aid 'de mera gratia' to support the king in his great need. He promised them the reward of commendation from the apostolic see, which was the keeper of the king, as well as from the king himself, but he did not say that the pope had authorized him to make the request.³ It is possible that Pandulph asked for the aid on his own responsibility. What reply the legate received from the prelates of the diocese of Lincoln, or from the prelates of other dioceses to whom he may have sent similar letters, is unknown.

6. SUBSIDY REQUESTED FOR THE POPE IN 1225

After Lucius III, the first pope known to have sought from the English clergy a gracious aid for himself was Honorius III. On 28 January 1225 he wrote to the archbishops, bishops and other prelates of England.⁴ He had heard, he explained, that many complained of the expenses which they had incurred in transacting business at the apostolic see. These complaints caused harsh criticisms, not only in private conversations, but

¹ Letter of 8 July 1217: Shirley, *Royal Letters*, I, 532.

² Lunt, 'Consent,' *Essays in Honor of George L. Burr*, p. 118, n. 4.

³ Harl. MS. 1885, fol. 40. Summarized inadequately in Bedfordshire Hist. Rec. Soc., *Pubs.*, x, 116, no. 337.

⁴ Walter of Coventry, *Memoriale*, II, 274-76; Potthast, *Reg.*, 7350.

also in public discourses. Honorius regarded them as more excessive than the facts warranted, because many proctors sent to Rome spent the money given to them for their expenses on good living, and then resorted to lies about their expenses at the papal court in order to conceal the frauds committed by themselves. Yet the criticisms contained enough truth to make a reform desirable. He therefore wished to obtain a permanent income which could be used to supply the necessities of himself, the cardinals, the chaplains, the clerks of the chancery and other officials of the apostolic see. If he could be assured of such a revenue, he was prepared to impose heavy penalties on any member of the papal court who should exact anything openly or secretly from those coming to the apostolic see on business, excepting the customary payment for the bull. He would also punish in the same way any one who received a gratuity willingly. Apparently he proposed to eliminate not only the customary gratuities but also the fees other than that charged for the bull by the chancery upon the issue of papal letters.¹

The popular opinion which Honorius III depicted undoubtedly existed. Complaints about some gratuities and fees were nearly as old as the papal household itself. In the sixth century Justinian regulated by decree the amount of the gifts which bishops ordained at Rome or elsewhere might bestow upon those taking part in the ceremony, and near the close of the same century Gregory the Great forbade the gift or the acceptance of anything for an ordination, the conferring of a pallium, the writing of a papal letter of confirmation, or the sealing of it, though he permitted the ordained to distribute gifts after the ceremony to those who had taken part, provided the recipients had not solicited the gifts.² The law did not prevent the recurrence of solicitation, and gifts on such occasions became so customary as to be morally compulsory.³

Boniface, the apostle of the Germans, and his clergy accused the pope and his clerks of simony on account of the amounts which three archbishops of northern France had paid in the process of obtaining their palliums. Pope Zacharias replied in 744 that the three palliums and the confirmatory letters had been given without cost, and that any voluntary gifts which he and his clerks had received did not constitute the price of the palliums.⁴ In 805 the bishops of England requested the pope to send the pallium to the archbishop of Canterbury free of charge, suggesting that it was simony to accept money for it.⁵ By that time a fee for the

¹ On this fee see below, p. 522.

² Lunt, *Papal Revenues*, II, 233, 234.

³ *Ibid.*, I, 82, 83; Göller, *Einnahmen unter Johann XXII*, p. 23*.

⁴ Migne, *Patrologia*, LXXXIX, 928.

⁵ Haddan and Stubbs, *Concilia*, III, 559-61.

pallium seems to have become legal.¹ Canute during his visit to Rome objected to the large sums of money which were demanded of his archbishops for the pallium and secured a promise that the practice would be stopped.² Nevertheless, money continued to be paid for the pallium in the twelfth and thirteenth centuries. So customary was it, that Garnier deemed it worthy of note in his life of Becket that the hero of his poem secured the pallium from Alexander III at Montpellier without the payment of gold or silver money.³

The gratuities demanded at the consecration of bishops and the benediction of abbots had not yet become fixed in the time of Honorius III, and they also had continued to be a cause of complaint. Bishop Ivo of Chartres wrote to a papal legate early in the twelfth century that the chamberlains and ministers of the papal palace exacted much from consecrated bishops and abbots, cloaking their exactions under the name of oblation or benediction.⁴ Sometimes a criticism implied a belief that such payments covered bribery. The Anglo-Saxon chronicler told how William of Corbeil, the elect of Canterbury, went to Rome, where the pope opposed his election because of an irregularity. 'But that overcame Rome,' said the chronicler, 'which overcomes all the world, that is gold and silver. And the pope was pacified and gave him his pall.'⁵ Innocent III dismissed a large part of the staff of janitors and doorkeepers in an attempt to make the papal court more free of access,⁶ and he forced his clerks to take oath that they would not exact anything by importunity or violence from bishops consecrated and abbots blessed at the papal court. He left it open to the camerarius, however, to seek gifts, if they were not given voluntarily.⁷

Nor did the great pope himself hesitate to ask visiting prelates for gifts. When William, abbot of St Albans, sought to depart with the papal benediction after attending the fourth council of the Lateran, Innocent III said to him: 'Are you not the abbot of St Albans who has obtained so many benefits of privileges from our see on so many occasions? Ought such and so great a man thus to depart not having paid his respects to the pope?' The abbot responded with an offer of fifty marks, but before he left the papal camera he paid one hundred marks.⁸ The incident, taken

¹ Sägmüller, *Die Thätigkeit*, p. 187; Göller, *Einnahmen unter Johann XXII*, p. 26*.

² Liebermann, *Gesetze*, I, 276.

³ *Vie de Saint Thomas*, pp. 24, 25. Draco Normannicus denied this. He said of Becket: 'Praesul Alexandro cum rubro dirigit album, pallam tum recepit': pp. 741, 783.

⁴ Migne, *Patrologia*, CLXII, 142.

⁵ II, 219. Another example is given at p. 143, and one in which an offer of treasure for the pallium failed to move the pope appears at p. 108.

⁶ Roger of Hoveden, *Chron.*, IV, 44.

⁷ Gottlob, *Servitientaxe*, pp. 154-56.

⁸ Lunt, *Papal Revenues*, I, 236.

in conjunction with others,¹ gives rise to a conjecture that it was customary for prelates attending a council summoned by the pope to bring gifts to the head of the church.

The cost of judicial processes was often a subject of adverse comment. Burchard, who was compiling his chronicle of Ursperg about the time that Honorius III made his appeal, wrote, under the annal of the year 1198: 'There remains scarcely any bishopric or ecclesiastical dignity, or even a parochial church, which is not made the subject of litigation and its cause carried to Rome; but not with empty hands. Rejoice, Rome, our mother, because cataracts of treasures are opened in the land so that brooks and piles of money flow to you in great abundance.'² In the satirical poems attributed to Walter Map the note of venality enters. One verse concerning the Roman court reads: 'Here in consistory, if any seek his cause or another's, let him read this first: unless he gives money, Rome denies all; he who gives the more money argues better.'³ Peter of Blois, writing to Henry II after the news of the fall of Jerusalem had reached him, probably expressed a wish which was father to the thought, when he asserted that the cardinals had promised that, as long as the land remained in the hands of the enemy, 'they would receive no gifts from any one who should have a cause in the court.'⁴ William of Newburgh believed that the bishop of Durham won a case appealed to Rome against the archbishop of York, because he distributed gifts freely while the archbishop failed to make any.⁵

Against such manifestly prejudiced criticisms as these may be set a few facts. In 1188 a monk of Christchurch, Canterbury, wrote to his prior from Rome complaining of the cost of suits at the papal curia and of the venality of the court.⁶ In 1203 the total costs of a suit which Giraldus Cambrensis prosecuted in the Roman court against the archbishop of Canterbury concerning his election to St Davids were 240 marks.⁷ Two years later the abbot of Evesham and Thomas Marleberghe, the prior, came to Rome, seeking to have set aside an interim judgment awarding to the bishop of Worcester temporary possession of jurisdiction over the

¹ *Draco Normannicus*, pp. 743, 752; *Gesta Henrici Secundi*, I, 209, 210; Matthew Paris, *Chron. Maj.*, IV, 427, 428.

² *M.G.SS.*, XXIII, 367; Göller, *Einnahmen unter Johann XXII*, p. 28*; Rocquain, *La Cour de Rome*, II, 29.

³ *Latin Poems commonly attributed to Walter Mapes*, p. 37. Giraldus Cambrensis repeats the same poem: *Opera*, IV, 292. See also the same *Latin Poems*, p. 156; *Anglo-Latin Satirical Poets*, I, 205, 206; *Materials*, I, 64.

⁴ *Opera*, II, 190.

⁵ *Historia*, I, 372.

⁶ *Chron. of Richard I*, II, 214.

⁷ Giraldus Cambrensis, *Opera*, III, 284.

abbey of Evesham made by papal judges-delegate in England. They failed in their quest. Subsequently they visited the pope to the value of £100 and the cardinals and others of the papal court to the value of 100 marks. The prospective recipients would not accept the gifts until they ascertained that the prospective givers had no cause in the court.¹ About six months later the question of the permanent possession of the jurisdiction was tried in the papal court and the abbey won its exemption.²

The criticisms in the main speak merely in general terms of the greed of the Roman court, but that theme has many variations in the literature of the twelfth century and the early years of the thirteenth. Confining our attention to English sources, we may begin with Ordericus Vitalis, who said of messengers sent by William I to the papal court: 'They gave freely from English riches profuse presents to the greedy Romans.'³ The York anonymous, writing in the early part of the twelfth century, complained of journeys to Rome required of the archbishops, and told how, when they had arrived in Rome, they had to open their purses to bribe the papal officials, or fail to accomplish their objects.⁴ The continuator of Florence of Worcester asserted that Thurstan, the elect of York, bribed the Romans of the papal court at Reims to persuade the pope to consecrate him in 1119,⁵ and he also accused the cardinals of perverting their elective functions for the love of gold.⁶ William of Malmesbury took his fling at the court with the remark that the Romans 'are now the most fickle of men, bartering justice for gold and selling the rule of the canons for a price.'⁷ The chronicler of St Albans recorded the manner in which the abbot went to Rome in 1155 and, after making rich gifts to the pope, distributed nearly 200 marks to the cardinals and other members of the papal household, 'knowing that the Romans were insatiable sons of the leech, thirsty for money.'⁸ Peter of Blois wrote to Henry II: 'Your nuncios have returned from the Roman court verily relieved of silver [and] loaded with lead.'⁹ 'The name, Rome,' said Walter Map in still lighter vein, 'is formed from its avarice and from the principles of a definition, for it is made from R and O and M and A, and the definition with it is radix omnium malorum avaritia.'¹⁰ Ralph of Diceto suggested that the fruits

¹ *Chron. de Evesham*, p. 146.

² Above, pp. 89, 90.

³ Migne, *Patrologia*, CLXXXVIII, 376 (pt. 2, bk. v, ch. 2).

⁴ Böhmer, *Kirche und Staat*, pp. 246, 247.

⁵ II, 73.

⁶ II, 100.

⁷ *De Gestis Regum*, II, 402. See also II, 507.

⁸ *Gesta Abbatum*, I, 127.

⁹ *Opera*, I, 125.

¹⁰ 'Avarice is the root of all evils': *De Nugis*, pp. 86, 87.

of the fortieth imposed for the crusade by Innocent III in 1199 would never reach the Holy Land, 'unless by chance the Romans should renounce the cupiditas natural and innate in them.'¹

Such remarks as these obviously need to be taken with several grains of salt. They come in part from monks and clerks who might readily have heard exaggerated tales of the gratuities paid at the papal court, or might have been smarting under recollections of payments made by the ecclesiastical foundations to which they belonged. Many of us grumble a bit in this day and age about the fees of doctors or lawyers, without intending to imply that they are dishonest and without any real conviction that they are excessive. The remainder of the quotations are drawn from the pages of satirists,² whose business it was to find fault. Yet behind all this exaggeration lurked a grain of truth. Not only did Honorius III acknowledge as much in his letter, but John of Salisbury, who had been a member of the papal court, had answered questions put to him by his friend, Pope Adrian IV, in practically the same terms. When the pope asked him the state of public opinion on the subject, he related many of the charges which have just been noted as the things which people were saying. When asked to give an opinion based on his own knowledge, he replied that there were avaricious clerks in the papal court and also many who held avarice in abhorrence. The pope ended the conversation with a parable which indicated his belief that much of the complaint was directed at the revenues which were necessary to sustain the work of the pope and his court in the government of the church.³ The popular grievance probably was not the system of fees and gratuities in itself, since a similar system probably existed at every royal court in Europe. The kindred payments which many members of the English clergy made at one time or another to the clerks and officials of their king⁴ evoked no outburst of similar proportions from English chroniclers and poets.⁵ Those at the papal court were doubtless regarded as excessive, they were

¹ *Opera Historica*, II, 169. For other criticisms in a similar vein see *Latin Poems commonly attributed to Walter Mapes*, pp. 167-70, 217-22, 229, 230; *Anglo-Latin Satirical Poets*, I, 98; II, 96-99; Lehmann, *Die Parodie*, p. 65.

² Similar extracts from continental satirical poets are given by Rocquain, *La Cour de Rome*, II, 28, 29; Lehmann, *Die Parodie*, pp. 43-91; *idem*, *Parodistische Texte*, pp. 7-12.

³ *Policraticus*, II, 67-73.

⁴ I cannot say of certain knowledge that the system prevailed at the English royal court at this date, but there is no doubt of its later existence: Lunt, *Papal Revenues*, I, 238; my article which will appear in volume II of *The English Government at Work*, edited by Willard and Morris; *Ann. de Wigornia*, p. 443; *Close Rolls, 1259-61*, p. 241.

⁵ They caused popular complaint from time to time, when they became more than fees and gratuities and partook of bribery and corruption. See, for example, Treharne, *Baronial Plan*, pp. 98, 109, 110; Jacob, *Studies*, p. 21; *Statutes of the Realm*, I, 33, 34; Wright, *Political Songs*, pp. 197, 224-30; *Vita Edwardi Secundi Auctore Malmesberiensi*, p. 239.

sometimes demanded with importunity, and some members of the papal court were probably unscrupulous in the exaction of them.

The extent of the reform which Honorius III proposed to institute is not placed beyond doubt by his letter. Presumably he did not intend to dispense justice to litigants without charge, and it may be doubted if he meant to forego the gifts customarily exacted from those who received at the papal court consecration, benediction or the pallium. Yet the only fees which he reserved expressly in the letter were those paid for the sealing of letters. If his request should be granted, 'all things,' he said, 'would be served free to everybody coming for any kind of business, nor would any one exact anything through himself or another, openly or secretly, or even receive voluntary gifts, except the accustomed revenue of the bull.' The penalties which he offered to establish were to be confined to those who should extend a hand for gratuities. The emphasis was placed upon the gratuities.

What the pope asked the English prelates to grant for this purpose was the conversion to the use of the apostolic see of a prebend in every cathedral and prebendal church, a fixed income apportioned to their resources from monasteries, other regular houses and collegiate churches, and similar perpetual gifts from the bishops. He exhorted and commanded the prelates to take favorable action on his proposal. Whether the letter was regarded as primarily exhortatory or mandatory is not entirely clear. It contained a common formula which conjoins the two forms. The formula reads: 'We warn, ask and exhort all of you in the Lord, commanding you by apostolic writings, that you apply to the execution of this proposal . . . such efficient support and labor that it may be indicated by means of your action how much what is seemly in the house of the Lord attracts you, how far love of the bride and Groom inflames you, how much the alleviation of many things moves you, and how much the general utility persuades you.' Roger of Wendover called the letter a mandate,¹ and, what is more convincing, the bishop of London, in the writ of citation which he issued at the order of the archbishop of Canterbury for the meeting of an ecclesiastical council to consider the letter, designated it as a papal mandate.² This official interpretation, indeed, gives ground for the assumption that when exhortatory and mandatory clauses are conjoined in the same formula, the latter has the precedence.³ Yet the English prelates acted upon the letter as if they were entirely free to make the

¹ *Flores*, iv, 114.

² *Vetus Reg. Sarisberiense*, II, 46.

³ The essential words in the original are: 'universitatem vestram monemus, rogamus et exhortamur in Domino, per apostolica scripta mandantes, quatenus' etc. Dehio interprets the formula in the same manner: *Innocenz IV*, p. 6, n. 3.

grant or not, as they chose.¹ The explanation of the apparent conflict lies in the thing which the prelates were exhorted and commanded to do. It was not to make a grant, but to act upon the papal proposal in such a manner as to indicate how much loving kindness they felt for the apostolic see. A refusal would measure the depth of their feeling no less accurately than a consent, and so either would be consonant with obedience to the mandate. That the letter had the technical form of a mandate and the practical effect of a request is attested by the archbishop's designation of it in a writ summoning a second council to consider it as a petition.²

The letter was brought to England by Otto, who did not arrive at his destination until September 1225. Sometime in the month before Christmas Stephen Langton caused writs to be issued summoning his suffragans, the deans of cathedral churches, the archdeacons and the conventual abbots and priors to meet before him at London on 13 January 1226 to hear the papal command.³ When the prelates convened, Otto read the papal bull.⁴ They also received a message from the king forbidding the prelates who held baronies immediately from him to oblige their lay fees to the Roman church, lest he be deprived of the services due to him.⁵ The prelates who attended the council finally replied that the proposal touched the king, all patrons of churches and many prelates. Since the king and many prelates were not in attendance, they ought not to answer and could not answer.⁶

The archbishop of Canterbury consequently summoned a second assembly to meet at London on 3 May.⁷ He directed that writs be sent to all bishops, abbots not exempt from the archbishop,⁸ priors and deans of cathedral and prebendal churches, and that chapters of cathedrals, prebendal churches, monasteries and religious houses be instructed to send proctors empowered to answer the papal petition.⁹ The prelates enum-

¹ Below, p. 186.

² *Vetus Reg. Sarisberiense*, II, 47. A chronicler of Abingdon also spoke of the 'petitions' of the lord pope: Trinity College, Cambridge, MS. 993, *ad annum* 1226.

³ *Vetus Reg. Sarisberiense*, II, 45, 46.

⁴ *Ibid.*, II, 45; Roger of Wendover, *Flores*, IV, 114.

⁵ Roger of Wendover, *Flores*, IV, 116.

⁶ *Ibid.*, IV, 115, 116.

⁷ The writ says on the Sunday after Easter when 'Misericordia Domini' is sung, which was the second Sunday after Easter. The annalist of Barnwell gives the same date, namely, 'xv dies post Pascha,' which presumably should be translated 'Easter fortnight,' and not literally the fifteenth day after Easter, as Barker interprets it. Barker places the assembly on the Sunday after Easter, 26 April: *Dominican Order*, p. 46.

⁸ The exempt abbots were named as those of St Albans, Bury St Edmunds, Westminster and St Augustine, Canterbury.

⁹ *Vetus Reg. Sarisberiense*, II, 46, 47.

erated included in person or by deputy all who were asked to contribute. The assembly marked an important step in the development of representation in clerical assemblies.¹

When the prelates convened, Otto had left England,² and they gave their answer to Archbishop Langton. They had before them a detailed account of the proceedings of a French clerical council held at Bourges, where the same request had been refused for numerous expressed reasons.³ The French clergy did not wish the system of gratuities to be removed from the papal court. 'We do not want in the least,' they said, 'to be without friends in the court.' They explained how heavy the burden of the proposed taxation would be and expressed the fear that it would necessitate the residence in each diocese, or at least in each province, of a papal collector who would not live of his own, but would levy procurations and other exactions, and would exercise the functions of a legate. The pope could order the collector to intervene in capitular elections and delay them, causing the appointment to devolve upon Rome by lapse, and so opening the way for the provision of Romans. Such taxation, moreover, was unnecessary. If the money which went to the Roman court should be divided evenly, all members of the court would be rich, since the court received more from each kingdom than did the king. In any case, greed was so strongly intrenched at the court that the reform would fail. It would be better to confine the burden to Rome than to make it universal and risk a general secession. Since the French prelates had already canvassed the sad possibilities of the situation so thoroughly, the English prelates did not find it necessary to add much in the way of explanation. They denied the papal request by ratifying the form of the French answer,⁴ adding, according to one chronicler, that England ought to be exempt from such an exaction on account of the royal tribute,⁵ and, according to another, that such a grant could not be made without the consent of a general council and of the patrons of churches. The prelates of the province of York also declined to make the grant.⁶

¹ This aspect is treated by Barker, *Dominican Order*, pp. 46, 47.

² Roger of Wendover, *Flores*, iv, 123, 124; *Vetus Reg. Sarisberiense*, II, 51. Cf. Walter of Coventry, *Memoriale*, II, 279; *Pat. Rolls, 1225-32*, pp. 27, 28. Apparently he went to France after the first council, returned after 13 March and left for Rome after 29 March: *Rot. Lit. Claus.*, II, 102; *Vetus Reg. Sarisberiense*, I, 371-73.

³ The form of the account, evidently written, which was read at the council in London, is given in *Vetus Reg. Sarisberiense*, II, 51-54. It is also quoted without acknowledgment of its provenance by Walter of Coventry, *Memoriale*, II, 276-79. Roger of Wendover quotes from the document: *Flores*, iv, 120-23.

⁴ *Vetus Reg. Sarisberiense*, II, 51.

⁵ Walter of Coventry, *Memoriale*, II, 279.

⁶ *Ann. de Dunstaplia*, p. 99.

7. SUBSIDY GRANTED TO THE KING BY PAPAL MANDATE IN 1226

Six days after the date of the letter asking for this subsidy, Honorius III addressed another letter to English prelates and rectors commanding them to provide Henry III with a gracious aid.¹ The reason assigned for the issue of the mandate was cryptic. 'When,' wrote Honorius III, 'the church willingly takes common share in the needs of secular princes by freely conferring upon them necessary aid, it is not prejudicial to the liberty of the church, but rather an office of charity. Since, therefore, our dearest son in Christ, the illustrious king of the English, is said to need the aid of your subvention very much, . . . we command you that you give to him a competent subsidy apportioned to the resources of your churches.' From whom he received the information of Henry's need he did not say. The annalist of Dunstable asserted that the king asked the pope to order the clergy to give an aid from their benefices, because the secular clerks would not consent to a fifteenth granted to him by bishops, religious and magnates.² The reason appears to be chronologically improbable, since the fifteenth was probably voted on 2 February 1225,³ the day before the papal letter was issued. If the initiative did come from Henry,⁴ the petition was probably borne by his messengers, Godfrey de Craucumb and Stephen de Lucy, who landed in France on 4 November 1224, reached Rome on 12 December, and presented royal petitions to the pope at an interview on 18 December. Some of the petitions were concerned with the recent siege of Bedford and an impending war with France,⁵ and it was for the latter purpose that the fifteenth was granted and the clerical subsidy was sought.⁶ Since the pope postponed his reply until after Christmas, the letter of 3 February may well have been the answer to one of Henry's petitions presented on 18 December.

¹ 3 February 1225: *Vetus Reg. Sarisberiense*, II, 57, 58; Walter of Coventry, *Memoriale*, II, 256, 257; *Pat. Rolls*, 1216-25, p. 585.

² P. 93.

³ Mitchell, *Studies*, p. 160, n. 202. Roger of Wendover assigned the grant to the court held at Christmas: *Flores*, IV, 99, 100. This does not conflict with 2 February, since the Christmas court may have lasted until that date. If the grant was made between Christmas and 2 February, a royal petition could hardly have reached Rome thereafter in time for papal action upon it by 3 February.

⁴ The initiative might have come from the clergy. The phrases of the papal letter are reminiscent of two canons enacted by the third and fourth councils of the Lateran in 1179 and 1215. The first forbade the clergy to place charges upon churches for the benefit of laymen, unless they thought the common necessity demanded it and the resources of laymen would not suffice. The second placed upon them the additional duty of consulting the pope before imposing charges for the purpose: *Corpus Iuris Canonici, Decretal. Gregor. IX*, lib. III, tit. XLIX, c. IV, VII. If the English clergy did refer a royal request for a tax on their spiritualities to the pope, it was an early instance of a claim by the clergy that these canons applied to taxation levied by kings. See Lunt, 'Clergy and Taxation,' *Facts and Factors* by students of E. F. Gay, pp. 66-68, 84-86.

⁵ Shirley, *Royal Letters*, I, 240-42.

⁶ Roger of Wendover, *Flores*, IV, 99; *Ann. de Dunstaplia*, p. 93.

The papal mandate was not published by the king until 27 May 1226. The royal envoys were in Rome long after the date of the letter,¹ but they were home again in time for Stephen de Lucy to be sent back to the papal court on 16 August 1225. Possibly the letter was not brought by them, but by Otto who did not arrive until later in the year.² Even that supposition does not explain the further delay of over six months before its publication. The attempt to determine the cause of the delay leads to nothing more substantial than speculation.

The first intention both of the king and the archbishop of Canterbury was to have the mandate debated in diocesan synods, where the lower clergy would be represented. Stephen Langton was influenced, however, by a suggestion of the dean and chapter of Salisbury to have the question settled in a provincial convocation. He accordingly summoned the dean or a proctor of each cathedral chapter, the archdeacons and the religious or their proctors to convene at London on 14 October.³ The prelates there assembled granted a sixteenth of the revenues of all churches and prebends, and of the common property of chapters, on which the fifteenth had not been paid. Thus the lower clergy who had to pay the tax were allowed no direct voice in its grant. The prelates, on the other hand, did not have the power of refusal, because the papal letter was mandatory. They had freedom of action only with regard to the amount of the tax, and possibly with regard to its nature.⁴ Honorius III, nevertheless, styled the tax 'this grace of yours and ours, a charitable subvention,'⁵ and the king spoke of it as a 'grace' given 'liberally and freely.' The pope specified that the subsidy should not become a precedent, and the king formally accepted this condition.⁶ However much this qualification may have protected the clergy against the king, it gave them no protection against the pope. The new definition of a gracious aid proved to be an unfortunate precedent for the English clergy, because later popes began to apply to papal subsidies these limitations on the right of clerical consent.

Information concerning the levy of the sixteenth is not particularly bountiful. The papal mandate provided that it should be collected in each diocese. The sums received were to be attested by the bishop, some abbots and some prelates. They were to be assigned to suitable men who

¹ Shirley, *Royal Letters*, I, 256-58.

² Above, p. 144.

³ The bishops were not consulted, because they had paid the fifteenth, and it was understood that the gracious aid was to be paid only by the clergy who had not paid the fifteenth: *Vetus Reg. Sarisberiense*, II, 58, 59.

⁴ I have treated the grant of the aid more fully in *Essays in Honor of George L. Burr*, pp. 120-23.

⁵ *Vetus Reg. Sarisberiense*, II, 57, 58.

⁶ *Pat. Rolls*, 1225-32, p. 64.

should keep the money until it could be expended to the best advantage of the king and the kingdom. The receivers were to publish accounts of receipts and disbursements, and to see that the money was spent for necessities.¹ The actual collectors were established by the action of convocation, which ordered the dean and chapter to collect the sixteenth in cathedral churches and the archdeacons, assisted by suitable men chosen with the counsel of the bishop, in parochial churches. It ordained further that payment was to be made in 1227, half on 2 February and half on 6 June,² and that the tax should be levied on the assessment made for the twentieth imposed by the fourth council of the Lateran.³ The king accepted the regulations made by convocation, specifying particularly that the subsidy was to be collected by the clergy.⁴

The collectors of the subsidy do not appear to have used any compulsory process against the taxpayers. The letter of the archbishop announcing the decisions of convocation was addressed to the bishops,⁵ who exercised a supervisory power over the collection.⁶ Each bishop sent copies of it to the collectors in his diocese, with directions to proceed accordingly. The bishop of Salisbury merely urged the collectors to act quickly and faithfully. The dean and chapter of Salisbury, on receipt of the bishop's instructions, notified the individual canons to pay the amounts due at the prescribed dates, but said no word of a penalty for failure to comply. They also entered in their register the valuation of the prebends for the twentieth and the amounts due for the sixteenth.⁷ The lack of the use of ecclesiastical censures or distraint naturally led to delays. In 1229 the king had obtained the greater part of the subsidy, but he was still receiving payments and vainly seeking others.⁸ On 2 November 1229, for example, the dean and chapter of Salisbury had paid only £50 15s. 2d.⁹ of the total of £74 13s. 9d. which they owed.¹⁰

The receivers, who were appointed in accordance with the papal stipulation, appear to have been the bishops of Bath and Wells and Durham. The king issued writs directing the collectors to make payments and render accounts before the receivers.¹¹ He also regulated some of the de-

¹ *Vetus Reg. Sarisberiense*, II, 57.

² *Vetus Reg. Sarisberiense*, II, 66, 67.

³ *Ibid.*, II, 67, 68. On the valuation, see Lunt, *Valuation of Norwich*, pp. 16-18. On the twentieth see below, pp. 242-46.

⁴ *Vetus Reg. Sarisberiense*, II, 67.

⁵ *Ibid.*, II, 66, 67.

⁶ *Ibid.*, II, 75, 76; *Close Rolls, 1227-31*, p. 380.

⁷ *Vetus Reg. Sarisberiense*, II, 68-75.

⁸ *Close Rolls, 1227-31*, p. 381.

⁹ *Ibid.*

¹⁰ *Vetus Reg. Sarisberiense*, II, 75.

¹¹ *Close Rolls, 1227-31*, pp. 380, 381. The writs were addressed to bishops and to deans and chapters.

tails of collection,¹ and payments were sometimes delivered by the collectors directly to the exchequer.² Thus, though the king left the collection of the money from the taxpayers to the collectors, he intervened freely to secure the render of the proceeds by the collectors. Some of the deans and chapters recovered what they paid to the king for the sixteenth of their prebends and churches by exacting an aid from their knights and free tenants. The king sanctioned the practice and ordered the sheriffs to distrain the tenants to make a reasonable aid for the purpose.³

8. SUBSIDY REQUESTED OF ENGLISH LAYMEN IN 1229

Gregory IX appears to have been the first and only pope to ask for an aid from English laymen for his own purposes. Previous popes had urged laymen to contribute to crusades, but the requests were usually for alms and they were often rewarded with indulgences.⁴ Occasionally such a gift took the form of a definite percentage of the income or property of a group of persons. The tax levied in England and France in 1166, the tax raised in England for Heraclius, the patriarch of Jerusalem, in 1185, and the Saladin tithe of 1188 were of this order, but these taxes were imposed by the kings of France and England without any known request having emanated from the papacy other than a general appeal for aid.⁵ In 1201 King John and King Philip, at a joint conference, agreed, at the request of a papal legate, to give a fortieth of their own revenues for a year and to ask each of their barons to collect a similar tax on their own lands. In John's writ presenting the request to his barons it was stated that the tax was not ordered by apostolic authority.⁶ The money was intended for a crusade and that raised in John's dominions was sent to the Holy Land by Hospitallers and Templars, or by crusading knights or clerks from the lands where the tax had been paid.⁷ As early as 1187 the inhabitants of Lucca paid for a crusade a fortieth of their goods in return for indulgences,⁸ and during the early years of the thirteenth century similar arrangements were made in other Italian communes.⁹ In 1222 Henry III, with the counsel of the magnates, imposed a poll tax for a crusade.

¹ *Rot. Lit. Claus.*, II, 174; *Vetus Reg. Sarisberiense*, II, 75, 76.

² *Pat. Rolls*, 1225-32, p. 249.

³ *Rot. Lit. Claus.*, II, 143.

⁴ Below, pp. 419-32.

⁵ Lunt, *Valuation of Norwich*, pp. 2-8; *idem*, 'Clergy and Taxation,' *Facts and Factors* by students of E. F. Gay, pp. 64-73.

⁶ Roger of Hoveden, *Chron.*, IV, 187-89; Delaborde, 'A propos d'une Rature,' *Bibl. de l'École des Chartes*, LXIV, 310.

⁷ *Rot. Lit. Pat.*, I, 5.

⁸ Paulus, *Geschichte des Ablasses*, I, 204.

⁹ Professione, *Contributo*, pp. 10, 11.

It was intended to be compulsory, but it raised so much opposition that it was soon made voluntary.¹ The tax appears to have been decreed as the result of the solicitation of funds by King John of Jerusalem, who was present in England.² The pope may have commended John's plea, but he did not bring the mandatory power to its support.³ In the next year, however, Honorius III requested both the emperor and the king of France to decree that each house in his lands should pay a penny of Tours during each of three months in aid of the Holy Land.⁴ The grant of this petition would have made the aid compulsory, but the compulsion would not have been applied by papal authority. With this possible exception, the papacy appears never to have asked laymen to contribute to the crusades any financial aid other than alms and purely voluntary subsidies.⁵

While Gregory IX did not attempt to levy taxes on laymen compulsorily, he did ask the laymen of some countries to grant a voluntary subsidy to help finance his war against Frederick II in Italy. In the closing days of 1228 he ordered the clergy of several parts of Europe to grant him a tenth for that purpose. At the same time he wrote to the king of Sweden, explaining the financial burden imposed upon the apostolic see by the war with the emperor, and requesting the king to give the aid of his subvention in the manner which Master Simon, a papal scribe, would relate to him orally.⁶ Simon also collected the clerical tenth in Sweden and Denmark.⁷ Master Stephen of Anagni, who was appointed to collect the tenth of English clerical income, probably presented a similar letter to Henry III. We have no trace of the letter, but a story told by Roger of Wendover implies that the king received a request similar to that sent to the king of Sweden.

Stephen, he said, placed before Henry III papal business which caused him to convene at Westminster, on 29 April 1229, the archbishops, bishops, abbots, priors, Templars, Hospitallers, earls, barons, rectors of churches,⁸ and tenants in chief to hear and treat the business. Stephen read to them papal letters which demanded a tenth of the movables of all laymen and clerks in England, Wales and Ireland for sustaining the war

¹ Mitchell, *Studies*, pp. 141, 142; Lunt, 'Consent,' *Essays in Honor of George L. Burr*, pp. 118–20.

² Walter of Coventry, *Memoriale*, II, 252; *Rot. Lit. Claus.*, I, 516.

³ Below, p. 420.

⁴ Rodenberg, *Epistolae*, I, nos. 224, 226.

⁵ I think Gottlob establishes this against the criticism of Michael: *Kreuzzugs-Steuern*, pp. 25–28; 'Hat Papst Innocenz III,' *Historisches Jahrbuch*, XVI, 312–19; Michael, Review of Gottlob's *Kreuzzugs-Steuern*, *Zeitschrift für kath. Theologie*, XVII, 719–22.

⁶ Rodenberg, *Epistolae*, I, no. 378.

⁷ Winkelmann, *Kaiser Friedrich II*, II, 41, n. 2.

⁸ On the significance of the presence of rectors see Lunt, 'Consent,' *Essays in Honor of George L. Burr*, pp. 125, 126.

against the emperor and asked their consent. The earls, barons and other laymen refused to give a tenth, because they were not willing to oblige their baronies and lands to the Roman church.¹ The clergy, after a stormy deliberation of three or four days, assented, because they feared that resistance to the papal mandate would bring upon them sentence of excommunication or interdict. Only then did Stephen display papal letters which appointed him to collect the tenth according to a new valuation, and empowered him to impose ecclesiastical censures on all opponents. The letter also specified in detail what items of clerical income were to pay the tenth. Roger's enumeration of them demonstrates that the tenth was to be levied on income, but he summed it up in his own words as a tax on goods and movables.²

Roger's account of these events needs interpretation, because it leaves many details obscure. It is, as far as I have discovered, the only contemporary description of them.³ Other chroniclers mentioned the levy of a tenth from the clergy, but they said nothing about the preliminary discussion or about an attempt to obtain an aid from laymen.⁴ The letter which commanded the clergy to grant a tenth is preserved,⁵ and it contains no allusion to a levy on laymen. If a request for the grant of a tenth was presented to laymen in the council of 1229, it was probably done on the basis of a letter similar to that which was sent to the king of Sweden. If Stephen bore such a letter to Henry III, he probably suggested orally that the aid should take the form of a tenth of lay revenues. Roger called it a tenth of movables, but he applied the same phrase to the clerical tenth which was certainly levied on income. While the rectors and prelates who were not ordinarily summoned to a meeting of the king's council may have sat with the magnates to hear Stephen's exposition of the papal wishes, the clergy probably debated their grant in separate convocation. Roger was wont to run his account of the two assemblies together when they met simultaneously in the same place, as the great council and the convocation of the province of Canterbury often did.

¹ Roger says that the king, to whom all looked for leadership in their refusal, kept silence, because he had pledged himself to the tenth in advance in order to secure the papal nullification of an election to Canterbury and the appointment of the candidate whom he favored. The silence may be true, but the reason for it seems improbable: Lunt, 'Consent,' *Essays in Honor of George L. Burr*, pp. 124, 125, n. 35.

² Flores, iv, 200, 201.

³ Matthew Paris copied Roger with a few unimportant additions: *Chron. Maj.*, iii, 186-88. Some later chroniclers derived their information from Roger or Matthew: John de Oxenedes, p. 159.

⁴ *Ann. de Theokesberia*, p. 73; *Ann. de Burton*, p. 364; *Ann. de Dunstaplia*, pp. 114, 125; *Ann. de Waverleia*, p. 305; *Ann. de Wintonia*, p. 85; Gervase of Canterbury, *Cont.*, ii, 128; 'Ann. de Southwark,' *M.G.SS.*, xxvii, 431, 432.

⁵ 20 December 1228: *Vetus Reg. Sarisberiense*, ii, 144-46.

He, for example, conveys the impression that the answer given to Otto by the clergy in January 1226 was the result of deliberation by bishops, prelates and laymen in a royal council held at Westminster,¹ whereas the chance survival of a writ of summons proves that an ecclesiastical synod was convened.² If the letter sent to the king of Sweden was the type received by Henry III, the laymen were entirely free to grant a subsidy or not, as they pleased. The clergy were not free. Though Gregory's letter to them spoke of 'liberty' and 'free will,' the vital clause read: 'Your discretion . . . we ask affectionately, warn carefully, and command, ordering you strictly by apostolic writings, that . . . you give freely and liberally to us the aid of a suitable subsidy by giving us with spontaneous free will the tenth of all your rents and revenues.' A voluntary grant made by command is an anomaly. Did the voluntary or the mandatory principle govern the grant in fact? The papal correspondence on the subject retained some of the forms customarily used in requesting a gracious aid. Frederick's invasion of the States of the Church was urged as the special need, and the letter to the clergy contained no threats of ecclesiastical censure for failure to make a grant. In another letter Stephen was authorized to excommunicate those who opposed collection of the tenth,³ but it was customary to levy a gracious aid by distraint, after it had been granted. Yet, if Roger is to be believed, the mandatory character of the letter addressed to them so impressed the clergy assembled to discuss it that their grant was a mere form. The other chroniclers who mentioned the tax add little to our knowledge of this aspect of it. They all said in one way or another that the tenth was levied compulsorily, but that was not incompatible with a voluntary grant of it. Their silence about any grant may indicate that they considered the discussion of it by convocation merely formal, or it may be fortuitous. The annalist of Burton, however, adds some weight to the opinion that the grant was nominal, when he said of the tax simply: 'the whole church of England was tithed . . . by the order of Lord Pope Gregory.'⁴ Roger called the letter discussed by the clergy a mandate, though he said earlier that the pope in his letter implored aid. Roger did not indicate that the two expressions applied to different letters, but without much doubt they did. The clergy were ordered to grant a tenth, and they had no option. The nature and amount of the tax were specified, and they believed that they could not answer in the negative without penalty. The laity, on the other hand, were asked for a voluntary grant, and they exercised their complete freedom to decline the request.

¹ *Flores*, IV, 114-16.

³ *Vetus Reg. Sarisberiense*, II, 147.

² Above, p. 185.

⁴ P. 364.

9. SUBSIDY REQUESTED IN 1238

Gregory IX was again moved to ask the English clergy for a subsidy by the need of the Latin empire of Constantinople.¹ In 1237 the existence of the empire was so threatened by the attacks of the Byzantine emperor of Nicaea that the pope authorized the preaching of a crusade in France and England in behalf of the Latins.² During the next year he continued to stimulate the enlistment of men for the enterprise and devised various plans for the provision of the necessary supplies.³ Among them was a project for the payment by the clergy of France and England of a thirtieth of their incomes for a period of three years.

The project was set forth in letters addressed to the kings of France and England on 24 November 1238.⁴ Henry III was exhorted and enjoined by the remission of his sins to interview the prelates of England individually and secretly, beginning with those who were most closely bound to him, for the purpose of obtaining their consent to the payment during three years of the thirtieth of the revenues of the churches and the clergy of their dioceses in aid of the Holy Land and the empire of Constantinople. The prelates were to signify their answers to the pope by their individual letters. Richard of Cornwall was notified of the plan and requested to commute his vow to go to the Holy Land to a vow to aid the empire. As an inducement he was promised the same indulgence that he would receive for going personally to the aid of Jerusalem, if he should pay in aid of Constantinople what it would cost him to go to the Holy Land.⁵ The legate Otto was ordered both to induce the prelates to grant the thirtieth by the same methods prescribed for the king and to persuade Richard to commute his vow.⁶ The archbishops of Canterbury and York were also exhorted and enjoined by remission of their sins to urge the grant upon the prelates in the same manner, and to notify the pope of their action as quickly as possible.⁷ The king and the two archbishops

¹ In 1234 he asked communities of clerks and laymen to provide warriors for a crusade to the Holy Land: below, p. 429. He was seeking alms from individuals and small groups and not a subsidy granted by the whole clergy of the kingdom. Two chroniclers of a later date recorded a tenth levied in 1234, but they misdated the tenth imposed in 1229: Lunt, 'Early Assessments,' *Annual Report of Am. Hist. Assoc. for 1917*, p. 274, n. 57.

² *Cal. Pap. Regs. Letters*, I, 166; *Regs. de Grégoire IX*, 3937, 3944-46.

³ *Regs. de Grégoire IX*, 4204-19, 4672-87; Raynaldus, *Ann.*, 1238, §1; Norden, *Papsttum und Byzanz*, pp. 283-88, 305-13.

⁴ *Regs. de Grégoire IX*, 4605-7; *Cal. Pap. Regs. Letters*, I, 177; Raynaldus, *Ann.*, 1238, §§ 23, 24; Addit. MS. 15354, fol. 179. Gasquet confuses this tax with the aid against the emperor demanded in the next year: *Henry III*, p. 179.

⁵ 25 November: *Regs. de Grégoire IX*, 4608; Norden, *Papsttum und Byzanz*, pp. 752, 753.

⁶ 25 November: *Regs. de Grégoire IX*, 4609, 4610; *Cal. Pap. Regs. Letters*, I, 177.

⁷ *Regs. de Grégoire IX*, 4611, 4615, 4618. The provincial prior of the Dominicans in England was ordered to induce both clerics and laymen to make gifts to the Empire in return for indulgences:

appear to have been under no compulsion to hold interviews with the prelates, unless their desires for remission of sins prompted them to do so, but the duty was mandatory upon the legate. The prelates, however, were left free to assent or dissent.

Concerning the grant or the levy of the thirtieth the sources provide no definite information. The tax was mentioned several times in later papal correspondence. When Gregory IX requested the earl of Cornwall to change his vow, he instructed the collectors of redemptions of vows and legacies for the Holy Land, which had been conceded to the earl, to pay a quarter of the proceeds to Baldwin, heir to the Latin empire of Constantinople. Richard of Cornwall, however, decided not to alter his original plan, and Gregory, informed of his decision by Henry III, wrote to Otto, on 23 November 1239,¹ directing him to cancel the grant to Baldwin and to restore it to Richard. He also ordered him to have collected and paid to the earl, when he should have departed on his crusade, not only the yield from redemptions and legacies but also what could be obtained from the twentieth and the thirtieth. The twentieth must have been the one imposed by the general council in 1215,² since no other tax of that percentage had yet been levied by the papacy. The grant was probably worth little, for only hopeless debts were likely to have been outstanding as late as 1239. The thirtieth could have been only the aid requested by Gregory the year before. Whether the concession of this revenue meant that some prelates had granted the thirtieth from their dioceses, or whether it was merely a gesture based on the hope that such grants might still be made, is not elucidated in the papal letter.

Innocent IV continued to speak of the thirtieth. After the earl had returned from his crusade to the Holy Land, he represented to the new pope that Otto had never fulfilled the mandate of Gregory IX. In answer, Innocent IV, on 3 June 1244, ordered the English prelates to assign to Richard any of the available moneys specified in Gregory's letter to Otto.³ The enumeration of the thirtieth in Innocent's letter was merely a repetition of Gregory's earlier communication. On 21 December 1244 Richard of Cornwall gave an acquittance to the bishop of Salisbury for a payment made to him in accordance with Innocent's mandate. The whole sum of £89 10s. was derived from legacies and redemptions, and no mention was made of the twentieth or the thirtieth.⁴ Innocent IV also directed the

Regs. de Grégoire IX, 4619. He was not directed to treat with the prelates in the same manner as the king, the legate and the archbishops, as Bliss implies: *Cal. Pap. Regs. Letters*, I, 177.

¹ *Regs. de Grégoire IX*, 4965; *Cal. Pap. Regs. Letters*, I, 185; Norden, *Papsttum und Byzanz*, p. 754.

² Below, pp. 242–47.

³ Muniments of Dean and Chapter of Salisbury, IV, A, I. Given in abbreviated form by Matthew Paris, *Additamenta*, p. 91.

⁴ Lunt, *Papal Revenues*, II, 488–90.

collector, Master Martin, whom he sent to England early in 1244, to collect the arrears which were owed to Earl Richard. The collector's commission is lacking, but the annalist of Dunstable stated that he collected money promised or bequeathed, owed by crusaders, or owed in any other manner to the Holy Land before the return of the earl from his crusade.¹ Despite the activities of the collector and the English prelates, the returns came in slowly. In order to hasten the process, Innocent, in 1246 and 1247, issued commissions to several other collectors of these arrears, but those which referred to the thirtieth always mentioned it in a summary of Gregory's mandate to Otto.²

All these references to the thirtieth leave the question of its grant unanswered. We are thus forced to rely upon the argument from silence, which rarely provides a certain answer. It is improbable, however, that a thirtieth could have been levied without leaving at least a fragmentary record in contemporary sources, and the negative value of the evidence is enhanced by the nature of the sources. The thirtieth was omitted not only in the list of revenues being levied for the crusade of Richard of Cornwall given by the annalist of Dunstable and from the acquittance issued by the earl, but also in an enumeration of the taxes with which the English church had been oppressed contained in a protest formulated by the English clergy in 1247 against a papal demand for another subsidy.³ Since the protest was meant to impress the pope with the burden which the English clergy had borne in recent years and began with the twentieth imposed in 1215, the failure to include the thirtieth, had it been levied, would have been a strange oversight. By no means the least significant is the silence of Matthew Paris, who rarely lost an opportunity to inveigh against the financial exactions of the papacy. Strongest of all is the statement of the clergy made in 1240, when they were opposing the papal demand for an aid against Frederick II. They had once given a tenth to the pope, they said, with the protest that no similar exaction should be made in the future. If they should make a second grant, they would take the risk of establishing a custom.⁴ Since the only tenth which the clergy had yet paid to the papacy was the one imposed by Gregory IX in 1228, the argument presented in 1240 would have lacked all force, if the clergy had agreed to pay a thirtieth in the preceding year.

¹ P. 166.

² Below, p. 433; *Regs. d'Innocent IV*, 3523; *Cal. Pap. Regs. Letters*, I, 240.

³ Matthew Paris, *Chron. Maj.*, IV, 596, 597; *Addimenta*, pp. 145, 146. They mention an aid for the Latin empire, but its position in the list, which is arranged chronologically, makes it certain that the reference is to the aid established by the first council of Lyons in 1245.

⁴ Matthew Paris, *Chron. Maj.*, IV, 37, 38, 41, 42.

10. SUBSIDY ORDERED IN 1239

Meanwhile the development of hostility between the pope and the emperor had created a new need for funds. Late in 1237 Frederick II won a decisive victory over the Lombards, who constituted the principal papal bulwark for the defense of the States of the Church against imperial designs. The threat to his temporal authority in Italy caused Gregory IX to take action. During the course of 1238 the pope obtained assurance of the support of Genoa and Venice, and on 20 March 1239 he issued a declaration of war by pronouncing Frederick excommunicated.¹ To meet the expenses of his policy he contracted large loans,² which forced him to cast about for the additional revenues necessary for their repayment. Since Germany and a large part of Italy were hostile, he turned to the clergy of France and England.

The nature of the demands made upon the English clergy are left in some obscurity by the loss of the papal correspondence dealing with the subject. Foreigners beneficed in England were required to pay a fifth of their annual revenues.³ The collection of this tax had been begun by Otto's agents before 29 February 1240, when the king asked the legate to hold nineteen clerks in his service immune from the fifth and forbade the clerks to pay it.⁴ This tax was not in the nature of a subsidy. The rate was fixed, payment was obligatory, and the foreign clergy do not appear to have been consulted about its imposition.⁵ From the native English clergy the pope sought a subsidy. The papal letter, which was probably issued toward the last of October, 1239,⁶ appears to have been in the form of a mandate, leaving to the clergy a voice only with regard to the amount of the subsidy they would pay.⁷ The subsidy could not be levied, however, until the legate had consulted the clergy.

Before proceeding with the collection of either tax, Otto sought the approval of the king. Matthew Paris makes of the incident a better story even than usual.⁸ According to his version, the counsellors of the king said to him: 'Why do you permit England to be made the booty and

¹ Potthast, *Reg.*, I, p. 907; Cherrier, *Histoire de la Lutte*, II, 146-76; Rocquain, *La Cour de Rome*, II, 69-72.

² Nicholas de Curbio, 'Vita Innocentii IV,' *Rerum Italicarum Scriptores*, III, 5928; *Regs. de Grégoire IX*, 5918-31.

³ *Ann. de Dunstaplia*, pp. 154, 155; *Ann. de Theokesberia*, p. 115; 'Ann. de Southwark,' *M.G.SS.*, xxvii, 432; Matthew Paris, *Chron. Maj.*, IV, 9.

⁴ *Close Rolls, 1237-42*, pp. 175, 176.

⁵ Lunt, 'Consent,' *Essays in Honor of George L. Burr*, pp. 126, 127.

⁶ Lunt, 'Early Assessments,' *Annual Report of Am. Hist. Assoc. for 1917*, p. 275, n. 66.

⁷ Lunt, 'Consent,' *loc. cit.*, p. 127.

⁸ *Chron. Maj.*, IV, 10.

spoil of those coming across, like a vineyard without a wall, common to every traveller and subject to destruction by wild boars, when you have an effective privilege that such exactions may not be made in this kingdom? He who abuses a privilege granted to him is not worthy of one.' To this vigorous advice Henry answered: 'I neither will nor dare to oppose the lord pope in anything.' Though the conversation may reflect more accurately the sentiments of Matthew — his staunch opposition to all papal exactions and his scorn of a king who did not stop them — than it does the words of the king and his advisers, it seems to contain a grain of truth. On 21 February 1240 Henry III forbade the Cluniacs to exact from English churches in their advowson a tenth granted to them by the pope, 'because,' he said, 'we have never been consulted about this by the lord pope, and it is not and has not been the custom in the kingdom of England that tallages or taxes of this sort can be extorted from the rectors of churches without the knowledge and will of the princes.'¹ It was not a privilege but a right of consent which Henry III claimed. He gave his permission for the legate to execute the papal orders with regard to the fifth and the subsidy.²

Otto put the question of a subsidy before certain classes of the English clergy at a council held at Reading toward the last of May.³ The assembly was attended by bishops, deans, chapters and archdeacons, but the bishops were present merely as mediators between the legate and the remainder of the clergy in attendance.⁴ The legate expounded the papal mandate, which demanded an aid to help the pope against the emperor.⁵ The precise nature of the aid which was sought is left in some doubt by the available sources. Matthew's assertion that a fifth was asked⁶ may be true with regard to the higher clergy,⁷ but apparently they did not pay the aid at a uniform rate.⁸ The clergy enjoyed some option with regard to the rate of the subsidy which they would pay, if they were not free to refuse the grant of one. The clergy at Reading obtained a postponement of their answer, apparently on the ground that the assembly was not sufficiently representative.⁹

¹ *Close Rolls, 1237-42*, p. 174.

² *Ibid.*, p. 347.

³ Letter of Otto to the bishop of Bath and Wells, dated 7 October 1240: *Muniments of Dean and Chapter of Wells, Liber Albus II*, fol. 191; H.M.C., *Cal. of MSS. of Dean and Chapter of Wells*, I, 403; Matthew Paris, *Chron. Maj.*, IV, 10. On the date see Lunt, 'Consent,' *Essays in Honor of George L. Burr*, p. 128, n. 49.

⁴ Letter of Otto. Matthew Paris says archbishops, bishops, greater abbots and certain magnates attended: *Chron. Maj.*, IV, 10. The abbots were not mentioned by Otto, and, if present, they probably had no voice in the deliberation.

⁵ Matthew Paris, *Chron. Maj.*, IV, 10.

⁶ *Ibid.*

⁷ Cotton MS. Claudius D XIII, fol. 125^v.

⁸ Below, p. 200.

⁹ Lunt, 'Consent,' *Essays in Honor of George L. Burr*, pp. 128, 129.

Near the end of June or on the first of July the same classes of the clergy met again at London.¹ On this occasion they agreed to pay an aid to the legate at Michaelmas.² On that date, however, only four archdeacons came to make their render. Otto consequently wrote to the bishops on 7 October 1240, ordering them to summon the deans, archdeacons, chapters of cathedral and other churches, abbots, abbesses, and priors and prioresses of monasteries having no abbots or abbesses to appear before him on the octave of All Saints prepared to pay an aid in proportion to their resources.³

Of the clergy whom Otto summoned to pay the aid on 8 November only the deans, archdeacons and chapters had consented to the payment at the council held at London. The bishops, who had been present only as mediators, and the abbots and priors, whom Otto did not mention as present at either council, also paid the aid. Apparently the consent of the members of these classes of the clergy was obtained individually. Both Matthew and the annalist of Dunstable spoke of the negotiations which the papal agents held with the individual members of these classes in order to determine the amount each should pay, but they included among the classes with whom such arrangements were made the deans and chapters,⁴ whose consent to the aid was given collectively at the council of London. The archbishop of Canterbury was the only prelate of whom Matthew said specifically that he gave his individual consent to the aid in addition to reaching an agreement with regard to the amount of his payment, but he added that the archbishop's example was followed by other prelates.⁵

The lower clergy certainly were not bound by the action taken at the council of London. The legate in his letter of 7 October ordered the bishop of Bath and Wells, with the help of his archdeacons, to persuade the rural deans, rectors and vicars of his diocese to give an aid, and suggested a twelfth of their annual incomes as a desirable amount. Similarly constituted diocesan or archidiaconal assemblies were also held in other dioceses. The lower clergy were thus given a voice in fixing the amount of their contribution, though they probably had no power to refuse the grant of any subsidy.⁶

¹ Letter of Otto. On the date see Lunt, 'Consent,' *loc. cit.*, p. 130, n. 1. Matthew, between his accounts of the assembly at Reading and that at London, tells of an assembly of bishops at Northampton which gave further consideration to the question: *Chron. Maj.*, iv, 37. The legate did not mention the assembly, and its existence may be doubted: Lunt, 'Consent,' *loc. cit.*, pp. 129, 130. According to Matthew, only bishops and archdeacons attended the assembly at London.

² The legate did not specify the nature of the aid. Matthew spoke only of the objections raised, and did not even record the grant.

³ Letter of Otto.

⁴ *Ann. de Dunstaplia*, p. 154; Matthew Paris, *Chron. Maj.*, iv, 15, 35, 36.

⁵ *Chron. Maj.*, iv, 15.

⁶ Lunt, 'Consent,' *Essays in Honor of George L. Burr*, pp. 131, 132.

In most dioceses the lower clergy agreed to pay the twelfth which the legate suggested. The annalist of Tewkesbury, indeed, gave that as the universal rate,¹ but the lower clergy of the diocese of Worcester paid at a higher rate than was common in other dioceses,² and there may have been other variations. The higher clergy paid sums arranged individually by negotiations with Otto or his assistant, Peter Rubeus. In these negotiations the papal collectors attempted to obtain as much as possible by holding up examples of what other prelates were reputed to have paid. According to Matthew Paris they had no scruples about giving such particulars falsely. His prejudice may have led him to exceed the truth, but the collectors evidently wished to keep the different payers from comparing notes, since they required each to take oath not to reveal the transaction for six months.³ This procedure seems incompatible with payment by the higher clergy at a commonly assessed rate. Matthew stated that the archbishop of Canterbury consented to pay a fifth of his revenues and rendered a sum which appears as 800 marks in one manuscript of his work and as 80 marks in another.⁴ The latter figure certainly was not a fifth of the archiepiscopal income. The monks of Binham also agreed to pay a fifth for one of their churches.⁵ The monasteries of Tewkesbury and Burton, on the other hand, paid less than the amounts which they had paid for the tenth in 1229, Dunstable paid no more and possibly less, while Worcester paid much more.⁶ Though these figures may be too scattered to provide in themselves the basis for a conclusion, they tend to confirm the inference drawn from the procedure of the collectors in dealing with the higher clergy that no definite rate of payment was fixed, but that each prelate made with the collectors the best bargain that he could.

The subsidy was not granted and collected without strenuous opposition from the clergy. At the council of Reading the assembled clergy secured a postponement of their answer, and at the council of London they offered many protests before they finally capitulated. They objected to the purpose of the tax. The money, they said, was to be used to make war against the emperor, who had contracted a relationship by mar-

¹ P. 116. The annalist of Winchester said a fifteenth: p. 88.

² *Regs. d' Innocent IV*, 1862; *Cal. Pap. Regs. Letters*, I, 225.

³ *Chron. Maj.*, IV, 35, 36. Later chroniclers tell the story with some variation of detail: *Flores Historiarum*, II, 240; John de Oxenedes, *Chron.*, p. 167.

⁴ *Chron. Maj.*, IV, 15.

⁵ A receipt issued by Peter Rubeus for 10 marks paid by the monks of Binham, a cell of St Albans, for the fifth of the church of Wood Dalling which is entered in the cartulary under the heading, 'Littere Petri Rubei de quinta pacata pro ecclesia de Wodedalling.' It is dated 'XV Kalendas Maii pontificatus domini Gregorii noni anno XIII^o'. In view of the other known dates, 'XIII' is probably a copyist's error for 'XIII'. For this reference I am indebted to Professor Hugh MacKenzie.

⁶ For the figures see Lunt, 'Early Assessments,' *Report of the Am. Hist. Assoc. for 1917*, p. 276, n. 71.

riage with their own prince. The war, moreover, would result in the effusion of Christian blood. Their contribution would render them liable to capture by the emperor when they passed through his territories, as they must do at times in order to conduct necessary business at Rome. The subsidy would also endanger the safety of England by pauperizing the country further, when many of the nobles with much treasure had recently departed on a crusade and the king was faced with many enemies. It would be to the disadvantage of the patrons of churches, who had not been consulted, and it would run counter to the liberty of the church, since it was to be levied compulsorily by means of ecclesiastical censures. They had given a tenth to the pope with a provision that no similar exaction should be made in the future, and twice would make a custom. It was a tax for the general welfare of the church, for which there ought to be a general contribution. The rumor was current that a general council was soon to be convoked; let the matter be settled there in order to avoid a general scandal.¹

The rectors of the archdeaconry of Berkshire, whom Otto himself convened, submitted a still more formidable series of objections.² They repeated several of those scored at the council of London, sometimes with more thorough explanations. They pointed out, for example, that the king and the nobles gave endowments to churches in order that hospitality might be maintained. Since the subsidy would cause it to cease, the patrons would be defrauded, and so the grant could not be made without the consent of the patrons. For the need of the consent of the universal church they gave a different reason. The fruits of churches, they pleaded, were deputed to the church, its ministers and the poor by the authority of the fathers. Ecclesiastical goods, therefore, could not be contributed to warfare without the approval of the whole church.

They also broke much new ground. Most striking was their categorical denial of the right of the pope to tax them. It rested upon the assumption that the pope claimed the right because the ownership of the churches rested with him. They admitted that in the argument of the law all things were said to belong to the prince, but, they contended, this did not mean that he had the ownership; what he had was the care of all things. So it was with the pope and the churches. "When Jesus said: "Thou art Peter, and upon this rock I will build my church," he reserved

¹ *Ann. de Theokesberia*, pp. 115, 116; Matthew Paris, *Chron. Maj.*, iv, 37, 38.

² *Ibid.*, iv, 38-43. The annalist of Burton gave the same objections as having been offered by all the rectors of England against a similar subsidy demanded for the same purpose by Innocent IV in 1244: pp. 265-67. In the latter copy some sections which applied in 1240, but not in 1244, were omitted. It seems probable that the protest made by a section of the lower clergy in 1240 was made the protest of the whole lower clergy in 1244. See also Smith, *Church and State*, pp. 25, 26.

to himself ownership, committing only the care, as appears from the following words of the Gospel: "Whatsoever thou shalt bind on earth shall be bound in heaven, and whatsoever thou shalt loose," etc.; not "whatsoever thou shalt exact on earth shall be exacted in heaven." The Roman church had its own patrimony, of which the administration belonged to the pope; so likewise did other churches have their own patrimonies which were not tributary to, or subject to taxation by, the Roman church.

They claimed further that they ought to contribute against the emperor neither because he was a heretic nor because he threatened the patrimony of the Roman church. The emperor had not been convicted of heresy by the judgment of the church, and, in any case, the secular arm was used against heretics. Once they had given money against the emperor, and, though pope and emperor had composed their differences, never a farthing had been returned. They were too poor to contribute, being less opulent than their predecessors who had held many benefices by dispensations. Many of them would be paying two subventions. All — or nearly all — were bound by the vow of the cross and had been warned by the pope to fulfil their vows in person or by deputy. Those whose patrons were the Cluniacs were paying a tenth to their patrons by papal mandate. Those fortified with the privileges of crusaders, moreover, had received a grant of their revenues for three years, and this privilege ought not to be invaded by the imposition of a subsidy. Thus their arguments proceeded from sound law and logic to quibble and back again, as did so many other similar arguments in this period, but the vexation of the clergy was made manifest in every clause.¹

The abbots, not to be outdone, took their complaints to the king. They asserted that the baronies which they held of him were threatened, because they were being pauperized by the exaction, and sought his protection. 'Even if men should be silent,' said Matthew Paris, 'the stones of the churches would raise a clamor against the robbers.' But all protests were uttered in vain. The king merely brought it to the attention of the legate that the abbots, in making their complaints, had broken their oath of secrecy.² The legate kept up a steady pressure on all ranks of the clergy. They gave way before it, probably because a papal mandate was behind it.

The papal collectors were busy during the summer of 1240 pledging the members of the higher clergy to individual payments. On 8 November, at the meeting held by the legate in London for the purpose of receiving the payments, those who had not yet promised were required to do so.³

¹ For further analysis of their arguments see Smith, *Church and State*, pp. 25–29.

² Matthew Paris, *Chron. Maj.*, iv, 35, 36.

³ Letter of Otto: *Ann. de Burton*, p. 366.

Even there opposition was still offered,¹ but it was too late to have any effect. Those who were present paid their debts or gave for them letters obligatory which fell due on 6 December at the house of the bishop of Durham in London, where the legate resided.²

The subsidy was collected from the lower clergy more slowly. On 7 January 1241, when Otto sailed from Dover, unlamented by any except the king and those upon whom he had conferred benefices and favors,³ he left Peter Rubeus and Peter de Supino, who had previously been his assistants, to continue the collection of the subsidy.⁴ No sooner was the legate gone, than the king began to intervene in the collection. On 10 January he informed Peter Rubeus of his intention that alien and native clerks in his service should pay nothing to the fifth or the subsidy, and ordered the collector to inform the ordinaries that they should exact nothing from royal clerks and should restore what might have been exacted.⁵ A few days later he reminded Peter that the subsidy had been granted through his grace, expressed his astonishment that his command with regard to the royal clerks had not been obeyed, and repeated it.⁶ He also issued orders to archdeacons, who evidently acted as deputy collectors under Peter's directions, to desist from a demand on a specified royal clerk.⁷ He forbade the nuncio the use of ecclesiastical censure to compel any clerk to contribute, saying it was not his intention that payment should be compulsory, and he threatened to proceed against the archdeacon of Gloucester as a disturber of the peace of the church, if he should fail to obey the prohibition.⁸

On 26 July the king assumed control of the proceeds which had not yet been paid to the papal nuncios. He announced that he proposed to keep the money safe for the Roman church, and commanded each of forty-eight archdeacons to inquire how much money remained and in whose hands it was, to collect it, to deposit it safely, and to report the amount to him. At the same time he directed each of twenty-six sheriffs to have any of the money found in his bailiwick viewed by lawworthy men and sealed with his seal, sending notice to the king of the amount and place of deposit.⁹ On 27 October, after the two Peters had returned to Rome,¹⁰

¹ Matthew Paris, *Chron. Maj.*, iv, 60.

² *Ann. de Burton*, p. 366; *Ann. de Theokesberia*, p. 116; *Ann. de Dunstaplia*, p. 154. Other debtors were summoned to meet their pledges at about the same time: Baddeley, 'Early Deeds,' *Trans. of Bristol and Gloucestershire Arch. Soc.*, xxxviii, 21.

³ Matthew Paris, *Chron. Maj.*, iv, 84.

⁴ *Ibid.*, iv, 137.

⁵ *Close Rolls*, 1237-42, p. 345.

⁶ *Ibid.*, p. 347.

⁷ *Ibid.*, pp. 347, 353; Prynn, *Records*, ii, 573, 574.

⁸ *C.P.R.* 1232-47, p. 253.

⁹ *Close Rolls*, 1237-42, p. 361.

¹⁰ Matthew Paris, *Chron. Maj.*, iv, 160-62.

Henry renewed and amplified his orders concerning the collection and retention of the unpaid balance, sending them this time to the bishops.¹

What became of the residue does not appear, but it was probably awaiting Master Martin, the collector whom Innocent IV sent to England early in 1244. He, at any rate, caused the arrears of the subsidy to be collected.² Gregory IX, however, probably received a large part of the proceeds before his death. During the last three months of 1240 he contracted with the Genoese for ships to transport the prelates who would come to Rome to attend the general council summoned for Easter of 1241. To pay for them he borrowed money from French prelates, promising repayment within six months from the proceeds of the English subsidy. On 13 October he instructed Otto accordingly to collect the subsidy zealously and assign the proceeds to Richard of the Knights Templars in Paris.³ The money which the legate received on 8 November and during the following month was doubtless used for this purpose.

It is within the realm of possibility that Frederick II obtained some portion of the yield of the subsidy which was levied for the war against him. Before the tax was collected, he asked his brother-in-law, Henry III, not to permit money to be given to the pope from the churches of his kingdom,⁴ but Henry replied that he dared not oppose the will of the pope.⁵ The emperor also sought with no better success the expulsion of the legate from England.⁶ Subsequently he obtained such control of the roads that it was difficult for those who came from the north to reach the papal court without his consent.⁷ It was to avoid this danger that Gregory IX hired the Genoese fleet to convey the northern prelates to Rome by sea.⁸ Frederick, not to be outwitted, attacked and captured the papal galleys with their load of prelates. Among the captives was Otto, who was on the last leg of his journey from England to Rome.⁹ He was despoiled of some of the wealth which he had taken with him from England, but whether it included any money derived from the subsidy, or whether that had all been deposited at the Temple in Paris, is not made known by our informants.¹⁰ When Peter Rubeus and Peter de Supino

¹ *Close Rolls, 1237-42*, p. 365; Prynne, *Records*, II, 573.

² *Ann. de Dunstaplia*, p. 166.

³ *Regs. de Grégoire IX*, 5888-5938; *Cal. Pap. Regs. Letters*, I, 195.

⁴ Undated letter of Frederick: Matthew Paris, *Chron. Maj.*, IV, 16-19. Matthew included the letter in the annal for 1240. Böhmer placed it among the documents of October 1239, but he assigned to it no definite date: *Regesta*, v, 2531*.

⁵ Matthew Paris, *Chron. Maj.*, IV, 19.

⁶ *Ibid.*, IV, 4, 5; *Ann. de Theokesberia*, p. 115.

⁷ Above, p. 201.

⁸ *Regs. de Grégoire IX*, 5918.

⁹ Letter of Frederick: Matthew Paris, *Chron. Maj.*, IV, 127, 128.

¹⁰ *Ann. de Dunstaplia*, pp. 155, 156; *Ann. de Wintonia*, p. 88; Matthew Paris, *Chron. Maj.*, IV, 84, 85.

left England in 1241, they departed in haste, fearing that the king might take the money which they had collected and hold it pending the election of a new pope. The 'booty' with which they escaped probably included the yield of the subsidy from 7 January, when the legate departed, to 26 July, when the king seized the uncollected proceeds. Scarcely had they gone, when Walter de Odra, an imperial nuncio, arrived to inform Henry III of the pope's illness and to persuade him to detain the 'robbers' and their 'plunder.' When Walter found that his prey had escaped, he followed them to Italy, where, it pleased Matthew Paris to think, the emperor succeeded in running them to earth and seizing the papal money which they bore.¹

11. REQUESTS FOR GIFTS OF BENEFICES IN 1241

During the last year of his pontificate Gregory IX endeavored to obtain still further financial aid from some members of the English clergy. It was a gift from a selected few and not a subsidy from all which he sought. On 1 February 1241 he wrote to the abbot and convent of Crowland, requesting and warning them to confer upon the basilica of St Peter at Rome and the apostolic see the right of patronage of some church belonging to them which was worth at least 100 marks annually. They were to give their deed of transfer to certain Italian clerks who would bring the papal letter to them. A similar letter was addressed to the abbots and convents of Ramsey² and Peterborough, and possibly to others of the more wealthy Benedictine houses. The abbot of Peterborough consulted the king, who forbade such gifts to be made by Peterborough or any other monasteries.³

Though the expedient was relatively unimportant financially, it may have served to increase the resentment of the English clergy who were not only paying a subsidy but were also having their rights of patronage invaded extensively by papal provisions.⁴ Matthew Paris exaggerated the incident grossly. Possibly his anger was stirred more deeply than usual, because his own order was attacked, but his treatment of the topic is nevertheless typical of the prejudice which he generally displayed with regard to questions of papal finance. According to his story of the transaction the papal letter to Peterborough was a mandate, fortified with terrific threats. The transalpine clerks who bore the apostolic letter were empowered to compel the abbot and convent to make the grant.⁵

¹ Matthew Paris, *Chron. Maj.*, iv, 160-62.

² *Regs. de Grégoire IX*, 5353, 5354; Potthast, *Reg.*, 10981, 10982; *Cal. Pap. Regs. Letters*, i, 193; *Collectio Bullarum Sacrosanctae Basilicæ Vaticanæ*, i, 124, 125.

³ Matthew Paris, *Chron. Maj.*, iv, 101, 102.

⁴ Matthew Paris, *Chron. Maj.*, iv, 31, 32; *Close Rolls*, 1237-42, p. 358. ⁵ *Chron. Maj.*, iv, 101.

As Matthew unfolded the tale, the pope appeared to be exercising the *plenitudo potestatis* in a particularly arbitrary manner, whereas he was in fact merely making a request for alms which the recipients were at perfect liberty to refuse. It is only if Matthew's statements be accepted as true that they provide justification for the violent diatribe against the papal court with which he prefaced the story, but it is deserving of quotation, not only because it is a good illustration of the historian's sentiments on the subject, but also because it reflects in some measure the growing spirit of discontent which was being engendered among the English clergy by the fiscal demands of Gregory IX. 'At this time,' he said, 'with the permission or under the direction of Pope Gregory, the insatiable cupidity of the Roman church increased so much that the Roman court,¹ confounding right and wrong and laying aside all modesty — like a bold and common harlot exposed to all for sale — regarded usury as only a little, and simony as not at all, improper.'

12. SUBSIDY REQUESTED IN 1244

After the death of Gregory IX the English clergy remained free from further papal exactions for an interval of more than two years. Celestine IV, who was elected pope on 25 October 1241, died on 10 November, and the cardinals failed to agree upon his successor until 25 June 1243. Innocent IV did not make fiscal demands upon the English clergy immediately, and they began to entertain the hope that they had seen the last of the exceptional financial burdens of the type imposed by Gregory IX.² Their hope was short lived. The new pope not only assumed responsibility for a large loan which his predecessor had contracted,³ but he also renewed the struggle with Frederick II which had languished during the vacancy of the holy see. These policies placed the papal camera under such heavy pressure for funds that Innocent IV, early in 1244, dispatched to England his cameral clerk, Master Martin, to act as general collector of papal revenues.⁴

Though Martin's commission is lost,⁵ the record of his activities in England provides a sufficient catalogue of the revenues which he was authorized to assemble. They included the royal tribute, Peter's pence, the arrears of the subsidy granted to Gregory IX in 1240, the money promised or owed to the Holy Land previous to the return of Richard of Cornwall

¹ The subject of the sentence, which is left unexpressed, is supplied from Matthew's caption.

² *Flores Historiarum*, II, 273.

³ Nicholas de Curbio, 'Vita Innocentii Papae IV,' *Rerum Italicarum Scriptores*, III, 592β.

⁴ Lunt, *Valuation of Norwich*, p. 31.

⁵ If it was enregistered, it was probably placed among the curial letters, which are missing for the first year of Innocent's pontificate.

from his crusade,¹ and in all probability the census owed by protected and exempt monasteries.² Had these revenues completed the list, the unfortunate collector might have been spared the storm of disapproval which fell upon his head. Arrears of taxes and revenues of such long standing were not likely to have become the occasion of an outburst of popular wrath in themselves, however much temporary vexation they might have caused the payers to feel. The patience of the English clergy, which had been badly frayed by the exceptional demands of Gregory IX, became completely exhausted when it appeared that Martin was authorized to make further demands of the same kind. Immediately after his arrival he exacted procurations,³ exercising the power of suspension against abbots who failed to pay them on time.⁴ He also possessed extensive power to exercise the papal right of provision, which he utilized freely,⁵ and he was instructed to seek another subsidy. Against those who opposed his performance of these functions he could employ ecclesiastical censures.⁶ His powers were so ample, indeed, that Matthew Paris could recall no legate who had possessed the like,⁷ though Martin ranked only as a nuncio.⁸

Though the collector arrived about Easter,⁹ he did not consult an assembly of the clergy with regard to the subsidy until autumn.¹⁰ When the prelates were present at Westminster to attend the king's council, he met them in a separate clerical assembly,¹¹ and asked for a subsidy of 10,000 marks to be paid by the clergy with the exception of the Hospitalers, Templars and Cistercians.¹² Whether the papal demand was in the form of a mandate or a request was not stated definitely by the chroniclers who supply our only information about it. At this assembly Martin also displayed a papal letter, dated 7 January 1244, addressed to the exempt and non-exempt abbots and convents of the province of Canter-

¹ Above, pp. 147, 148, 196, 204; below, p. 433; *Ann. de Theokesberia*, p. 132; *Ann. de Dunstaplia*, p. 166.

² This item was practically always associated with Peter's pence in extant commissions of papal collectors.

³ *Ann. de Dunstaplia*, p. 166.

⁴ Matthew Paris, *Chron. Maj.*, iv, 284, 285.

⁵ *Ann. de Dunstaplia*, p. 165; Matthew Paris, *Chron. Maj.*, iv, 284, 368, 379, 391, 401, 402, 416, 418; *Close Rolls, 1242-47*, p. 259; Prynne, *Records*, II, 616; Potthast, *Reg.*, 11627.

⁶ Matthew Paris, *Chron. Maj.*, iv, 284.

⁷ *Ibid.*, iv, 368.

⁸ *Ibid.*, iv, 374; *Ann. de Dunstaplia*, p. 165; *Close Rolls, 1242-47*, p. 259; Potthast, *Reg.*, 11627.

⁹ *Ann. de Dunstaplia*, p. 166.

¹⁰ On the date of the assembly see Lunt, *Valuation of Norwich*, p. 31, n. 8; *idem*, 'Consent,' *Essays in Honor of George L. Burr*, p. 132, n. 78; Dehio, *Innocenz IV*, p. 7, n. 3.

¹¹ Matthew Paris, *Chron. Maj.*, iv, 368, 369.

¹² *Ibid.*; *Ann. de Dunstaplia*, p. 166, 167.

bury. It informed them that the subsidy paid in England and other countries had not been sufficient to meet the debts incurred by Gregory IX for the defense of the catholic faith, ecclesiastical liberty and the papal patrimony, and ordered them to assign to Martin the amount of money he should state in behalf of the pope, at the time he should prescribe, in order to help pay the balance due on the debts. This letter, Matthew said, was considered carefully by all the prelates and particularly by the abbots who did not wish to answer alone but only in association with the others, 'because it was written to them in the same manner.'¹ From this statement it may be inferred that the grant of a subsidy was mandatory upon the whole clergy.

The nature of the desired subsidy is left in some obscurity by the available sources. If Matthew's statement is exact, the subsidy was to consist of two sums, one to be paid by the religious and the other by the secular clergy. The prelates postponed their answer to 23 February 1245, when they met Martin in another ecclesiastical assembly. On this occasion the dean of St Paul's, who was instructed to answer for all, said to the nuncio: 'all of the prelates of England answer you both concerning the pecuniary aid to be contributed to the lord pope and concerning the revenues which the lord pope asks through you to be given to him from individual churches.'² The revenues from individual churches may be explained by a papal letter written to the abbot and convent of Bury St Edmunds on 20 December 1244.³ It was a repetition of the letter of 7 January 1244, except for the date and the address. Presumably similar letters were sent to other monasteries, though it is not apparent why the pope should address the same letter to all abbots and convents and to individual abbots and convents as well. If it be assumed, however, that Matthew changed the address of the original letter which he quoted — an action of which he was quite capable — the bits of evidence fit into one of two hypotheses. Possibly Innocent IV commanded the whole English clergy except the Hospitallers, Templars and Cistercians to contribute a subsidy of 10,000 marks and, by letters of different dates, ordered each of several monasteries to pay in addition the sum named by Martin. Another hypothesis seems more probable. The dean's reference to the revenues to be given from individual churches conveys the impression that Innocent IV had asked some prelates to confer upon the papacy in perpetuity the income from churches or prebends, as Gregory IX had done in 1241. This impression is strengthened by Matthew's later description

¹ Matthew Paris, *Chron. Maj.*, iv, 369, 370.

² Matthew Paris, *Chron. Maj.*, iv, 374, 375.

³ Battely, *Ant. S. Edmundi Burgi*, p. 94.

of the papal demand as 'an exaction of churches and prebends and of a pecuniary aid.'¹ It is carried nearly to the stage of conviction by the annalist of Dunstable, who recorded that the proctors of king and kingdom at the council of Lyons in 1245 opposed Innocent's previous demand for one of the better prebends in each cathedral church and an appropriated church worth forty marks or more from each abbey and priory.² If this interpretation is correct, the sums of money asked of monastic communities in the letters of 7 January and 20 December 1244 were designed to be part of a subsidy of 10,000 marks, consisting, like that of 1239, of arbitrary sums paid by the prelates and of a percentage of incomes paid by the lower clergy. This deduction with regard to the nature of the subsidy is further substantiated by the annalist of Burton, who ascribed to all the rectors of England a repetition in 1244 of a large part of the reply which the rectors of Berkshire had made in 1240 to the demand of Gregory IX for a subsidy of this type. In addition to the subsidy, Innocent IV had Martin ask for the permanent appropriation to the papacy by individual cathedral and monastic chapters of prebends and churches. Whether this demand was mandatory or exhortatory cannot be determined, because it does not appear in the extant papal correspondence, but the precedents established by Honorius III in 1225 and Gregory IX in 1241 were in the form of requests.

The prelates who considered Martin's proposal of a subsidy in the autumn of 1244 had their answer influenced by two extraneous events. While the king's council was in session a letter arrived from the emperor, urging the English not to give aid to the pope, and threatening that any money sent to the pope would be seized for the imperial treasury.³ At the same council the king asked for an aid. The prelates and the magnates debated the question separately, but finally united to appoint a committee of twelve, which refused an aid except in return for reforms which the king was not prepared to make. Thereupon the king produced a papal letter, dated 29 July 1244, which commanded the English prelates and clergy to grant an aid to him. The prelates discussed the letter in a separate assembly and decided to postpone their answer to 23 February, the date set for the final answer of the magnates and prelates to Henry's request for an aid.⁴ When the prelates were considering the subsidy asked for the pope, they were greatly exercised by the double papal mandate, which put them between the hammer and the anvil.⁵

¹ *Chron. Maj.*, iv, 376.

² Pp. 167, 168.

³ Matthew Paris, *Chron. Maj.*, iv, 372.

⁴ Matthew Paris, *Chron. Maj.*, iv, 362-68, 395. The papal letter appears also in Rymer, *Foedera*, i, 257.

⁵ Matthew Paris, *Chron. Maj.*, iv, 370, 371.

They consequently postponed their answer to Martin to the date fixed for the final reply to the royal requests.¹

When the two councils met on 23 February 1245, the magnates and prelates conceded to the king an aid for the marriage of his eldest daughter of twenty shillings on the knights' fee.² What the prelates did in convocation with regard to the aid which the pope had ordered the clergy to grant to the king is unknown, but no clerical aid had yet been granted on 19 April 1245.³ There is, moreover, no indication that it was ever granted.⁴ The papal mandate apparently went unheeded.

To the nuncio the prelates replied through their speaker, the dean of St Paul's, that they could not yet give a definite answer, because his demands touched the king, the patrons of churches and the prelates, and the king and several prelates were absent. To this assembly the king sent a message forbidding prelates who held baronies from the king to oblige their lay fees to the Roman church lest he might be deprived of his due service.⁵ Possibly he thought to protect himself against any loss of the aid which had been promised him from the knights' fees.

After Martin tried vainly to secure an assembly of the prelates at Midlent, he finally met them later,⁶ possibly on 21 April at Maidstone.⁷ The clergy on this occasion were forbidden by the king to grant a subsidy to pope or archbishop, because they had not yet granted the subsidy conceded to him by the pope.⁸ To the nuncio the clergy again offered excuses, concluding with the suggestion that the question of a subsidy ought to be put before the forthcoming general council, since the debt of the head of the church concerned all its members.⁹ That was the last word which Martin obtained from the English clergy on the subject before he left England.

The royal prohibition of a papal subsidy was but one expression of the opposition which Martin had roused in England. Long before its issue, not only the king but also the barons and the clergy had become thoroughly exasperated by the extent of the papal fiscal demands and by Martin's methods of executing them. As early as 10 August 1244 Henry III warned Martin that papal legates never came to England except at the invitation of the king, and, when they did come, though higher in

¹ *Ann. de Dunstaplia*, p. 167.

² Matthew Paris, *Chron. Maj.*, iv, 372, 373.

³ *C.P.R. 1232-47*, p. 463; Prynne, *Records*, II, 634.

⁴ Apparently it was still being sought in 1247: Matthew Paris, *Chron. Maj.*, iv, 595, 596.

⁵ Matthew Paris, *Chron. Maj.*, iv, 375.

⁶ Matthew Paris did not give the date or the place: *Chron. Maj.*, iv, 375.

⁷ Such an assembly was summoned by the archbishop of Canterbury: *C.P.R. 1242-47*, p. 463.

⁸ *Ibid.*

⁹ Matthew Paris, *Chron. Maj.*, iv, 375, 376; *Ann. de Dunstaplia*, p. 167.

rank than Martin, they never perverted the papal commands in such a manner as to cause an invasion of the rights of the king and his magnates. The nobles, he informed the nuncio, were complaining immoderately against the patience with which he tolerated Martin's seizure of benefices.¹ In the autumn the king denied Martin's request to urge the clergy to grant the papal subsidy.² In the spring he began to attempt to stop further fiscal exactions. On 31 March he ordered both clerical and lay nuncios entering the southern ports to be searched for papal letters and detained until his pleasure had been made known.³ The purpose of the order was to suppress any further papal demands for money.⁴ In May the sheriffs, acting upon a royal writ, conducted sworn inquests in their county courts to ascertain the value of benefices held by the papal camera and by Italians.⁵ An apostolic letter of 10 April 1245 requesting the king to permit Martin to execute papal mandates with regard to provisions demonstrates that the nuncio's activities in that particular had already been curtailed.⁶ The royal opposition also made it impossible for the nuncio to collect the procurations which fell due at Easter for the second year of his residence.⁷ Early in June the king practically ended Martin's activities in England. Though protesting himself unwilling to act contrary to the apostolic will, he was persuaded by the barons to forbid the payment of a subsidy or the conferring of any benefice upon the nuncio or other papal agents until the envoys whom the barons had appointed to protest at the council of Lyons against the papal exactions should have returned.⁸

A further expression of the rebellious spirit roused in England by the papal fiscal policies was the expulsion of Martin from the realm. Matthew Paris made of the event a right merry tale.⁹ Some knights who assembled at Luton and Dunstable for a tournament which they had to forego on account of a royal prohibition gave vent to their high spirits by baiting the papal collector. One of their number, whom they selected, went to London and ordered the collector to leave the kingdom. Martin

¹ *Close Rolls*, 1242-47, p. 259.

² Matthew Paris, *Chron. Maj.*, iv, 368, 369.

³ *Close Rolls*, 1242-47, p. 350.

⁴ Matthew Paris said that the order was issued by some of the barons, and that, when a messenger bearing such a bull was arrested, the king, on the petition of Martin, ordered his release: *Chron. Maj.*, iv, 417.

⁵ *Close Rolls*, 1242-47, p. 354; Prynne, *Records*, II, 617. The annalist of Dunstable added that the king forbade the payment of anything to the holders: p. 169.

⁶ Potthast, *Reg.*, 11627.

⁷ *Ann. de Dunstaplia*, p. 167.

⁸ *Close Rolls*, 1242-47, pp. 355, 357; Prynne, *Records*, II, 618, 634; *Cal. of Documents relating to Ireland*, I, 409, 411.

⁹ *Chron. Maj.*, iv, 420, 421.

repaired to the king, where he received cold comfort. Though Henry admitted that the order had not been given by royal authority, he expressed doubt of his ability to restrain the barons from attacking the nuncio. Martin then asked for a safe-conduct for his departure, to which Henry replied: 'May the devil take you to hell and through it.' On his subsequent journey to Dover, though he was escorted by a member of the royal household, he displayed lively signs of fear until he finally embarked on 15 July. Matthew's manifest pleasure in recounting Martin's qualms gives rise to a suspicion that he may have invented some of them, and his account may be embellished in other particulars,¹ but there seems to be no reason to doubt that the initiative in expelling the nuncio was taken by the barons. Matthew's repeated assertions give the impression that the whole movement against papal exactions was baronial in its inception and largely baronial in its execution. The king took some steps against the nuncio on his own account when his own interests were affected adversely, but, in taking others, as he himself confessed, he acted unwillingly under the pressure of the barons.²

It was the barons, moreover, who, sometime before 1 June, prepared a protest against the exactions and appointed nuncios to deliver it at the general council summoned to meet at Lyons on 24 June 1245,³ though the king probably coöperated and may even have taken the initiative as far as the royal tribute was concerned.⁴ The nuncios of the barons were six of their own number,⁵ who were also commissioned among the royal envoys to the council.⁶ They probably did not leave England until after 11 June,⁷ and the first session which they attended was the second, held on 5 July.⁸ Probably at this session, but possibly at the last, which took place on 17 July, the English proctors, through their spokesman, Master William de Powick,⁹ protested against the exaction of the royal tribute¹⁰

¹ Stevenson questions the story, because the annalist of Dunstable took no notice of an event alleged to have taken place at Dunstable: *Robert Grosseteste*, p. 243, n. 1. The annalist said merely that the king with great indignation gave him license to depart, and that he left about 24 June: p. 167.

² *Close Rolls*, 1242-47, p. 357.

³ *Ibid.*, pp. 355, 357.

⁴ Above, pp. 148, 149; Matthew Paris, *Chron. Maj.*, iv, 419.

⁵ Cole, *Documents*, p. 351.

⁶ *C.P.R.* 1232-47, pp. 454, 455, 463.

⁷ Their royal safe-conduct was dated 8 June, and on the same day Henry wrote to the pope asking him not to treat at the council any business relating to England until his delegates should have arrived, but on 11 June the envoys received further powers and a royal letter was issued forbidding English prelates attending the council to do anything to the prejudice of king or kingdom: *C.P.R.* 1232-47, pp. 454, 463; *Close Rolls*, 1242-47, p. 356.

⁸ Cole, *Documents*, p. 351; Lunt, 'Sources,' *E.H.R.*, xxxiii, 77. Matthew Paris said that they were present at a preliminary session held on 26 June: *Chron. Maj.*, iv, 431.

⁹ Matthew Paris, *Chron. Maj.*, iv, 440. He was not one of the baronial proctors, but he had received a royal safe-conduct for departure to the council: Cole, *Documents*, p. 351; *C.P.R.* 1232-47, p. 454.

¹⁰ Above, pp. 148, 149.

and brought to the attention of the council the letter of the barons.¹

The complaints contained in the letter were confined to papal provisions and the acts of Master Martin. The barons reminded the pope that not only had Peter's pence been long paid from England but also papal demands for assistance had been liberally met by the English. Their ancestors had endowed monasteries in order that the inmates might serve God, but papal provisions were depriving them of the necessary revenues. The Italians who received the benefices did not practice hospitality or give alms; instead they took from the kingdom revenues which ought to have gone to the relatives of the barons, who would have provided both hospitality and charity. The Italians were receiving 60,000 marks which was more than the king obtained from the kingdom. Their principal arraignment of Martin also dealt with his execution of provisions and his reservations of benefices to the collation of the apostolic see, but they did protest his entry of the kingdom without royal license and the extent of his authority, which was so great, they asserted, that it detracted from the privilege of the king which permitted no legate to come to England except at his invitation.

In addition to the grievances specified in the letter, the English nuncios appealed against both the subsidy and the attempt to levy it without the consent of the king, which was contrary to 'the ancient customs, rights and liberties of the kingdom.'² They also entered a caveat concerning Innocent's demand for the permanent appropriation of prebends and churches to the apostolic see.³ They presented as a further grievance the free use of the 'notwithstanding' clause in papal letters.⁴ By its insertion in letters ordering the payment of subsidies or other dues, the papal exemptions previously granted to individual clerks or ecclesiastical communities were nullified, and their possessors became subject to financial burdens and ecclesiastical penalties for failure to pay taxes from which they were immune by the terms of their exemptions.⁵ Their final piece of opposition was directed against the twentieth and other taxes which the council voted in behalf of the Holy Land and the Latin empire of Constantinople.⁶

Innocent IV conceded a few of the requests made by the English procurators. On 3 August 1245 he restored to some of the patrons of English

¹ Matthew Paris, *Chron. Maj.*, iv, 440-44; Cole, *Documents*, p. 351.

² Cole, *Documents*, p. 353.

³ *Ann. de Dunstaplia*, pp. 167, 168.

⁴ Matthew Paris, *Chron. Maj.*, iv, 445.

⁵ For illustrations of the manner in which it was used see Lunt, *Papal Revenues*, index under 'Non obstante clause.'

⁶ Matthew Paris, *Chron. Maj.*, iv, 473, 521, 522.

benefices the rights of collation which Martin had suspended, and he placed some slight limitations upon the use of papal provisions in the future.¹ Perhaps the grant to bishops and other patrons of the right to collate to benefices in their patronage when they should again become vacant put an end to the papal request for a permanent endowment of prebends and churches. At least, we hear no more about it. Innocent also conceded some privileges which the king requested,² and possibly the influence of the English petition is reflected in the canon of the council which decreed that 'legates of the Roman church — however ample their powers — have no authority, by virtue of their office, to confer benefices.'³ So little did he concede, however, that Matthew estimated the work of the English envoys as without effect.⁴ Indeed, the pope took the occasion to assert anew his right to some of the revenues to which the English proctors objected. He persuaded English bishops along with others to sign an *inspeximus* of documents which included John's charter surrendering England to the apostolic see,⁵ and he obtained from six of the English bishops who attended the council a promise to assess and collect the subsidy which Martin had sought in vain.⁶

So far from satisfactory was the result to the king and the nobles that it was resolved at a great council held on 18 March 1246⁷ to make further representations to the pope. On this occasion they had before them a written memorandum of the grievances which were said to have been presented to the pope and the cardinals by the English envoys at the council of Lyons.⁸ The heading of the document in the copy preserved in the royal exchequer implies that the pope had promised to remedy the grievances listed in the memorandum and that the barons brought them up at this meeting of the great council because they had not yet been remedied. The caption, however, applied to only three of the particulars which followed. Two related to promises which Innocent had made with regard to the future use of the right of provision,⁹ and the third dealt

¹ *Ibid.*, iv, 519–21; Rymer, *Foedera*, i, 262, 266.

³ Gasquet, *Henry III*, pp. 240, 241.

⁵ Above, p. 149.

⁷ On the date see above, p. 149, n. 3.

⁸ Cole, *Documents*, p. 353; Matthew Paris, *Chron. Maj.*, iv, 527; *Ann. de Burton*, pp. 284, 285. The last ascribed to this great council also a series of complaints against the taxes imposed by the council of Lyons: pp. 280–82. The annalist referred the reader to the register of the king for the papal answer, and the editor notes that it is in Rymer's *Foedera*, i, 266. The papal letter of 12 June given there is included in the documents of 1246, but it is actually dated 1247. The date of the papal letter supports the statement of Matthew Paris that the complaints against the taxes decreed in 1245 were formulated at a clerical council of 1 December 1246: *Chron. Maj.*, iv, 581.

⁹ One of them — if not both — seems to rest upon a misinterpretation of what the pope actually promised. Compare paragraphs 2 and 3 of the memorandum with the papal letters of 3 August 1245: Cole, *Documents*, p. 353; Matthew Paris, *Chron. Maj.*, iv, 519–21.

² Rymer, *Foedera*, i, 261–63.

⁴ *Chron. Maj.*, iv, 478.

⁶ Matthew Paris, *Chron. Maj.*, iv, 555–57.

with the 'notwithstanding' clause which was alleged to have been used less moderately than Innocent had orally given the proctors to understand would be the future practice. The other grievances on the list the pope had not promised to remove. They were the withdrawal of the English from the kingdom in causes contrary to the English custom, the failure to observe written laws and indulgences granted to the king by previous popes, the subsidy being sought by the pope without the royal assent and contrary to the customs and liberties of the kingdom, and papal tallages, collections and assizes in general.

Those present at the great council agreed to send messengers to the pope with a renewal of the request for remedial measures, and the bishops of the province of Canterbury, the abbots, priors and monks of both provinces, the nobles, barons, clergy and people of England, and the king wrote letters to accompany the request.¹ They contained more rhetoric than facts, but their general purport was a warning that the English were so disturbed by the repeated burdens and oppressions placed upon them by the apostolic see that failure to grant the demands of the English nuncios might have disastrous consequences. What they might be, was not specified very definitely, but 'griefs,' 'scandals,' 'disturbances,' 'schisms' and 'perils' to king, pope and Roman church were among the results vaguely suggested as probable. The messengers, among whom was William de Powick, left for Lyons on 9 April.²

Even before they began their journey, further trouble was precipitated by a renewed attempt to levy the subsidy originally demanded by Master Martin. At the council of Lyons the bishops of Lichfield, Lincoln, London, Norwich, Winchester and Worcester had promised to collect the subsidy, though at the reduced amount of 6,000 marks.³ They had not yet begun operations when the king's council decided to protest again to the pope,⁴ and the nobles and prelates present at the council agreed that nothing should be done concerning the subsidy before the return of their messengers from the papal court.⁵ Meanwhile two of the six bishops received orders from the pope to proceed immediately with the collection of the subsidy. The pope had commanded the bishops of Lincoln, London, Lichfield and Worcester to begin the collection by an earlier letter which had been ignored. His second letter was addressed to the bishops

¹ Matthew Paris, *Chron. Maj.*, iv, 529-36.

² *Ibid.*, iv, 551.

³ Undated letter of Innocent IV: Matthew Paris, *Chron. Maj.*, iv, 555-57. It was probably written late in 1245 or early in 1246: Lunt, *Valuation of Norwich*, p. 33, n. 1.

⁴ This seems to be implied in a letter of the bishop of Norwich written on 24 March 1246: Matthew Paris, *Chron. Maj.*, iv, 555-57.

⁵ Letter of Henry III dated 1 April: *ibid.*, iv, 554.

of Norwich and Winchester. They were directed to summon the other four bishops to meet with them to arrange the repartitionment of the tax on the twentieth day after the receipt of the papal mandate. If they should not come, the bishops of Norwich and Winchester were to collect the subsidy within a month of the day set for the meeting, using the methods formerly arranged by Martin. They were to enforce payment with ecclesiastical censures and to disallow any appeal, notwithstanding any indulgences. If one of the two bishops could not be present, the other was to proceed alone. To insure prompt obedience, the two bishops were required to report to the pope their action on the mandate by the bearer of it.¹ The bishop of Winchester excused himself, but the bishop of Norwich began to execute the mandate on 24 March 1246 by ordering the abbot and convent of St Albans to pay 80 marks for their share of the subsidy to his agents before 29 April.²

When Henry III heard of this attempt to collect the subsidy, which he had previously on three separate occasions ordered the bishops not to levy, he wrote a peremptory letter to the bishops. He pointed out that the subsidy was contrary to custom and prejudicial to the royal dignity. In beginning its collection they were disobeying not only the royal mandate but also the decree of the recent royal council, to which they had assented, that the collection should be suspended until the return of the messengers sent to the pope. He forbade them to proceed with the exaction of the subsidy under penalty of loss of their baronies and other possessions. If they had already received any money, they were not to allow it to be carried out of England. He also ordered them to make the royal prohibition known to archdeacons and their officials. He even wrote to the taxpayers forbidding them to obey the episcopal command to pay the subsidy and making threats of similar penalties for disobedience.³ It was probably about the same time that the irate king sought to establish further protection against papal exactions by renewing his orders for apprehension at the ports of any who should come from the papal court with bulls of provision or letters for extorting money from the English church.⁴

Robert Grosseteste, bishop of Lincoln, protested against the royal pro-

¹ Undated papal letter quoted by the bishop of Norwich in a letter of 24 March 1246: Matthew Paris, *Chron. Maj.*, iv, 555-57.

² Matthew Paris, *Chron. Maj.*, iv, 555-57. Doubtless he issued other letters of the same type, but the one addressed to St Albans was naturally preserved by Matthew Paris.

³ A letter of this type to St Albans is dated 1 April; the letter to the bishops is undated: Matthew Paris, *Chron. Maj.*, iv, 554, 557, 558.

⁴ *Ibid.*, iv, 510.

hibition placed upon him and his fellow collectors.¹ He wrote that they were not assessing and collecting the tallage on their own authority, but were proceeding according to the form delivered to them by Martin, being compelled thereto by the papal authority and command, 'to which disobedience "is the sin of witchcraft and stubbornness" as the iniquity of idolatry.' The king would have better occasion to wonder, if they had failed to obey such a mandate. He ought to help rather than hinder them, and those who counselled him otherwise did not have in view the royal honor.² Though Grosseteste was thus outspoken in his criticism of the royal opposition to papal commands and a staunch supporter of the clerical duty of obedience to the head of the church, he did not go to the length of asserting that the clergy ought to obey the papal mandate in defiance of the royal prohibition. What he desired was the withdrawal of the royal decree. His plea was unsuccessful, and the collection of the subsidy appears to have been suspended.³ When the messengers returned from Lyons and reported to a royal council held on 7 July 1246 that the pope would promise no mitigation, the king caused a prohibition upon the payment of any contribution to the pope and upon the transmission of any money to his aid to be proclaimed publicly throughout the land.⁴

This decree was a complete defiance of the papal power. Earlier prohibitions had been temporary, pending the outcome of negotiations with the pope, but this one was made when the last hope that the pope would withdraw the demand for the subsidy had departed. Henry III was not strong enough, however, to maintain this extreme position. He had been carried to this climax of his prolonged opposition to papal exactions by the pressure of public opinion expressed by the barons and the clergy and by flashes of anger roused by the encroachments upon his royal dignity. He

¹ Grosseteste, *Epistolae*, pp. 340-42. The letter is undated, but it is in answer to a 'miramur plurimum' letter of the king, and the undated royal letter, issued about 1 April, took that form: Matthew Paris, *Chron. Maj.*, iv, 558. It stated that the bishops were assessing and collecting the tallage according to the form given by Martin, which puts it probably after the letter written by the bishop of Norwich on 24 March 1246, and eliminates any probability that it was evoked by any of the three previous royal prohibitions.

² A large part of the letter is translated by Gasquet, *Henry III*, p. 252.

³ After 7 July Innocent IV issued new orders that the subsidy must be paid by 15 August, indicating that it had not been paid by 29 April: Matthew Paris, *Chron. Maj.*, iv, 561. Gasquet translates Grosseteste's letter to the effect that some of the bishops had already finished the collection of the subsidy when Grosseteste wrote: *Henry III*, p. 252. While the words are capable of that translation, they may mean no more than that the papal mandate had been put into effect by such orders as those issued by the bishop of Norwich to St Albans. They do not necessarily imply that payment of the subsidy had been made.

⁴ Matthew Paris, *Chron. Maj.*, iv, 560, 561.

was too fickle to pursue so masterful a policy with determination for a long time. When he was not governed by momentary passion, his sentiment of loyalty to the papacy was exceptionally strong on account of the experience of his youth. When Grosseteste returned from the council of Lyons, while the contest over the papal fiscal policies in England was still in progress, he had a private conversation with the king. Henry's utterance on this occasion was reported to the pope by Grosseteste as follows: 'Lord bishop, we intend, as we ought, to guard untouched what pertains to our crown and royal estate, and we desire that the lord pope and the church should give us aid in this. You may take it for certain that we shall show and observe entirely and always obedience, fidelity and devotion to the lord pope as our spiritual father and to the holy Roman church as a mother. . . . On the day when we shall not do this, we will give our eyes to be put out and even our head to be cut off. . . . For beyond the common reasons by which all Christian princes are held to the church, we are bound more closely than other princes by a special cause: for when we, still in our minority, were deprived of a father, with our kingdom not only turned from us but opposing us, our mother, the Roman church, through Lord Cardinal Guala, then legate in England, restored the kingdom to our peace and subjection, and consecrated and crowned us king.'¹ A feeling of devotion for the apostolic see as strong as this could not be permanently suppressed by an angry sentiment about outraged royal dignity. When Innocent IV found means to counteract the pressure applied by English public opinion, it rose to the surface in Henry's thought and caused him to give way. The pope used two weapons to overcome the opposition. He ordered the English bishops to pay the subsidy to his nuncio at New Temple, London, before 15 August under penalty of excommunication and suspension, and he authorized the bishop of Worcester to place an interdict upon the kingdom. This threat moved Henry to revoke his prohibition. 'Thus,' said Matthew mournfully, 'the whole struggle of both the magnates and the bishops came to naught, and hope concerning the liberation of the kingdom and the English church faded miserably away, not without bitter grief in many hearts; and the longings of Roman avarice were satisfied with impunity in respect to the said contribution.'²

Concerning the actual assessment and collection of the subsidy few details are known. The six bishops, who were the principal collectors, levied the 6,000 marks according to a plan which had been prepared by

¹ Grosseteste, *Epistolae*, p. 338. I have followed largely the translation of Gasquet, *Henry III*, p. 244.

² *Chron. Maj.*, iv, 560, 561, 577.

Martin, but the documents which mention the plan give no intimation of its nature. The principal collectors made direct demands on some of the monastic clergy,¹ but otherwise each bishop appears to have collected the subsidy in his own diocese, using archdeacons and members of his cathedral chapter as his deputies.² The subsidy does not appear to have consisted, like that of 1240, of arbitrary sums paid by prelates and a fractional portion of their incomes paid by the lower clergy. Since it was called a twentieth not only by several chroniclers³ but also in a document drawn up by a group of clergy in an ecclesiastical assembly,⁴ it probably was levied generally as an income tax without extensive exceptions. Apparently only some of the exempt monasteries paid arbitrary sums instead of a twentieth, a method which was certainly followed in the next subsidy. The twentieth was probably apportioned on the basis of one of the two assessments of English clerical income which had been compiled in 1217 and in 1229.⁵ The subsidy was not fully paid on the date prescribed by the pope. Nearly a year later the archbishop of York gave acquittances to two local collectors, one of which was for the substantial sum of 480 marks.⁶

13. DEMAND FOR KNIGHTS

In the same year that the subsidy was levied, Innocent asked certain English prelates to provide him with five, ten, or fifteen fully equipped knights to remain in the service of the Roman church for a year at the expense of the prelate who supplied them, or to supply a sum of money in place of the knights. Each contributor was pledged to secrecy concerning the transaction for a space of six months under penalty of excommunication. Matthew Paris believed that the secrecy was maintained to prevent knowledge of the affair coming to the king, whose consent had not been asked.⁷ Some of the prelates paid sums in commutation of the demand, since the bishops included 'the money exacted for knights' in a list of oppressions placed upon the English church by the papacy which they drew up in 1247 for presentation to Innocent IV.⁸ How many paid money for this purpose, how much they paid, and whether they paid com-

¹ Above, p. 216.

² *Reg. of Gray*, p. 258.

³ Gervase of Canterbury, *Cont.* II, 202; *Ann. de Dunstaplia*, p. 186; Chron. of Glastonbury, Bodleian Library, MS. Laud 750, fol. 4.

⁴ Matthew Paris, *Chron. Maj.*, IV, 584.

⁵ Lunt, *Valuation of Norwich*, p. 36.

⁶ 25 June 1247: *Reg. of Gray*, p. 258.

⁷ Matthew Paris, *Chron. Maj.*, IV, 536, 537.

⁸ Matthew Paris, *Additamenta*, p. 145.

pulsorily or voluntarily Matthew Paris, who is our sole informant, leaves to the imagination.

14. SUBSIDY ORDERED IN 1246

While the subsidy was still being levied, moreover, Innocent, regardless of the storm of indignation which it had evoked, gave orders to the whole English clergy to grant a second aid. On 10 October 1246 he commissioned John, provincial minister of the Franciscans in Provence, commonly called John Anglicus because he was an Englishman by birth,¹ to collect a subsidy from the English clergy for 'the necessities of the church.' Papal mandates were sent to the archbishops of Canterbury and York and their suffragans and also to the exempt abbots and to three individual clerks,² directing them both to give full faith to John's proposals with regard to a subsidy and to carry them out.³ The proposals which John was authorized to make were not stated in his commission, and they probably were not committed to the official correspondence, since he delivered them orally.⁴ The English prelates were not free to reject them. Not only was their execution enjoined upon the bishops and abbots by papal mandates, but also John was empowered to compel the recipients of the mandates to contribute to a subsidy by the censure of the Roman church and to confer upon them the same power for compelling their subjects to contribute. The collector was also authorized to appoint as deputies Franciscans, who could exercise his full powers of censure.⁵ He was given the customary letter of credence and safe-conduct to the English clergy,⁶ and empowered to levy procurations from them.⁷

John, who appears to have arrived in England during February 1247, made it his first business to obtain the king's permission to levy the subsidy.⁸ The mistake made by Martin was not to be repeated. Henry III was not in a complacent mood. Though he had finally allowed the previous subsidy to be collected, he had by no means ceased all opposition to papal taxes. He was then engaged in an attempt, which was ultimately successful, to prevent the confiscation by Innocent IV of the goods of in-

¹ Matthew Paris, *Chron. Maj.*, iv, 599.

² The three individual clerks were treated like the exempt monasteries. They were not named in John's commission.

³ A copy of the mandate addressed to the abbot of St Albans on 12 October is preserved by Matthew Paris, *Chron. Maj.*, iv, 617, 618.

⁴ Matthew Paris, *Additamenta*, p. 144.

⁵ Matthew Paris, *Additamenta*, p. 119.

⁶ *Ibid.*, p. 120.

⁷ Matthew Paris, *Chron. Maj.*, iv, 599.

⁸ *Ibid.*, iv, 599, 617.

testate English clerks.¹ The previous December he had forbidden the English clergy to pay the taxes decreed by the council of Lyons, and a few days before John arrived the great council had formulated a protest against these and other fiscal demands of the pope.² In these difficult circumstances the nuncio won the consent of the king by representing the subsidy as a gracious aid and keeping silent about his powers of coercion.³ The collector was doubtless correct technically in designating the proposed tax as a gracious aid, since the English bishops later referred to it as 'subsidio modo gratis concessio.'⁴ Yet the terms of the collector's commission and the course of subsequent events indicate that the clergy had no real option about the grant of the subsidy, though, with the exception of the exempt religious communities and the three clerks, they apparently had some voice in the determination of the nature and the amount of the subsidy.

Having approached the king with 'simple appearance, downcast looks and bland speech,' John and his assistant, a Franciscan named Alexander, threw off the mask, left the royal court mounted and dressed like knights, and proceeded to practice the tyranny of legates. Such, at least, was the impression which their acts left with Matthew Paris. Concerning the order in which the collector subsequently proceeded about his business, Matthew, who provides our only information, admits that his own chronology is preposterous. Apparently he approached the exempt abbots and the bishops individually. From each abbot he demanded payment of a stated sum before a certain date under penalty of ecclesiastical censure, and from each bishop he sought a pledge of payment by himself and his clergy, excepting any of the exempt abbots and the three clerks, of a stipulated sum under the same conditions. He asked of the abbot of St Albans 400 marks and of the bishop of Lincoln 6,000 marks. Both of these prelates replied that it would be necessary to consult the community of the kingdom before they could give a final answer.⁵

Probably because of this attitude, the bishops were given an opportunity to debate the subsidy when they were present at a council summoned by the king to meet at Oxford on 7 April 1247. The result of their deliberations was the formulation of a joint letter to the pope, in which they complained of the fiscal burdens recently imposed upon the English church, but gave a qualified consent to the proposal of the collector. They were not prepared to give individual letters obligatory by which

¹ Below, p. 508.

² Below, p. 251-53.

³ Matthew Paris, *Chron. Maj.*, IV, 599.

⁴ Matthew Paris, *Additamenta*, p. 145.

⁵ Matthew Paris, *Chron. Maj.*, IV, 599, 600, 618.

each bishop would commit the clergy of his diocese to the payment of a specified sum without consulting them. This, they thought, would be a scandalous procedure, more likely to provoke rebellion than to secure the payment of a subsidy. They felt, however, that they ought to obey the apostolic mandates, and they therefore agreed to attempt to secure the assent of their clergy to the levy of 11,000 marks. Each bishop was to treat with his own clergy to obtain their approval of the quota assigned to his diocese. If any should fail to secure the consent of their clergy, the remainder would nevertheless contribute to the extent of their resources.¹ The bishops thus made their consent contingent upon that of their clergy, and possibly they reduced the sum which John originally demanded.²

This portion of the subsidy was not levied by John directly from the payers, but each bishop, with the help of his archdeacons, was made responsible for the collection from the clergy of his own diocese.³ The sum was levied as an income tax on the basis of the assessment made for a tenth in 1229.⁴ The rate may have been ten per cent or somewhat less.⁵ The Hospitallers and Templars were given exemption by the pope.⁶ The subsidy was due in two equal parts on 11 November 1247 and 2 February 1248.⁷

In the grant of the 11,000 marks the exempt abbots took no part.⁸ They had to deal with John and pay whatever sums he designated. Several of them put up a stiff opposition. The prior and convent of Westminster refused to pay anything, because their abbot was in Germany acting as a royal envoy,⁹ and the abbot of St Albans appealed to the pope against the sum which John demanded of him.¹⁰ Indeed, the collector met with so many difficulties that he consulted the pope, who instructed him to increase the sums assessed against prelates who claimed to be exempt from the subsidy and to enforce its payment by ecclesiastical censures, with appeal removed, and notwithstanding any privilege or indulgence of which express mention ought to be made in the papal mandate.¹¹

¹ Matthew Paris, *Chron. Maj.*, iv, 622, 623; *Addimenta*, pp. 144–46.

² They certainly did, if Matthew stated the first demand from the diocese of Lincoln correctly at 6,000 m. On this question see Lunt, *Valuation of Norwich*, pp. 44, 45.

³ Muniments of Dean and Chapter of Wells, *Liber Albus* i, fol. 8v.

⁴ Gunton, *Peterburgh*, p. 307.

⁵ For fuller discussion see Lunt, *Valuation of Norwich*, pp. 45, 46.

⁶ 11 May 1247: *Regs. d' Innocent IV*, 2692.

⁷ Gunton, *Peterburgh*, p. 308; *Ann. de Wigornia*, p. 438; *Ann. de Dunstaplia*, p. 175.

⁸ *Flores Historiarum*, ii, 328.

⁹ *Ibid.*, ii, 335.

¹⁰ Matthew Paris, *Chron. Maj.*, iv, 617, 618.

¹¹ 17 July 1247: *ibid.*, iv, 618, 619.

Even this increased penalty failed to move the abbot of St Albans. John fixed his payment originally at 400 marks,¹ which was so great an increase over the 80 marks paid for the subsidy of the preceding year that the abbot appealed to the pope for a reduction. John, nevertheless, cited the abbot to appear before him in London on 28 September 1247 prepared to render payment. When the abbot's proctor appeared, the collector ordered him to deliver 300 marks within eight days under threat of excommunication of the abbot and interdict of the church of St Albans. The proctor informed John that the abbot was about to send special nuncios to the pope to explain his grievance and to pay the subsidy according to the resources of his church, and this apparently caused the collector to withhold the threatened sentences, but not to cease his demands for payment to himself. The abbot's messengers started for Lyons on 13 October. Before their return, John wrote to the abbot on account of a special mandate which he had received. He ordered the abbot to pay 400 marks on 17 December at the house of the Franciscans in Bedford or be placed under ecclesiastical censures. Only by much pleading did the abbot's proctor on this occasion persuade the collector to concede a respite until the return of the abbot's nuncios from the Roman court. The nuncios eventually secured from the pope a reduction of the sum to 200 marks, though their expenses for travelling and for fees and gifts at the court amounted to another hundred marks. Even this settlement did not end the troubles of the community of St Albans. The collectors of the 11,000 marks attempted to force some of the cells and churches of St Albans to contribute to that sum, and they were loath to accept the explanation that the composition which the abbot had made with the pope covered the cells and churches as well as the mother house, even when it was given by John himself. The abbot finally had to obtain a papal letter appointing the abbot and prior of Waltham and Roger de Cantalupo, canon of London, to protect him against the bishops before he could enjoy peace.²

Though the burden placed upon the abbot of St Albans was exceptional and the difficulties experienced by him were extreme, the other payers of the subsidy appear to have been hardly less unhappy about their lot. They made their payments unwillingly and accompanied them with imprecations and maledictions.³ Many ecclesiastics began to fear that the compulsory extortion of the papacy was reaching such a pitch that the lay princes and nobles, whose ancestors had founded and endowed the churches, would disendow them and retake possession of the property.⁴

¹ *Ibid.*, iv, 600, 617.

² Matthew Paris, *Chron. Maj.*, iv, 617-22; *Addimenta*, p. 151.

³ *Flores Historiarum*, ii, 333.

⁴ Matthew Paris, *Chron. Maj.*, iv, 619.

Meanwhile, Innocent IV, unaffected by such fears, placed upon Italians beneficed in England a still heavier impost, which the English clergy may well have viewed with mixed emotions. Though this supplementary subsidy drew still more English gold to the papal coffers, it placed upon Italian incumbents of English benefices a much greater burden than the English clergy had to bear. By letters issued during May 1247 Innocent required the archbishops and bishops of England to explain to the Italians beneficed in their dioceses — or to their proctors — the needs of the Roman church and to collect from each of them during the year beginning on 24 June 1247 a fourth of his income, provided it was 100 marks or less, and one-half, if it was more, as an aid for the Roman church. These instructions were carried out, and the proceeds went to swell the amount of the subsidy which the pope received from England.¹

After 1247 Innocent IV never again asked the English clergy to pay a subsidy for the benefit of the papal camera. Though the clergy of the province of Canterbury paid a subsidy in 1252, it was done at the initiative of the bishops of the province, who were seeking favors of the pope. Why the demands ceased is, of course, a matter of speculation. Doubtless the strain on the papal camera was relieved by the rapid decline of Frederick's fortunes after his decisive defeat at Parma in 1247. The pronounced opposition of the English to the papal fiscal measures was also not without its effect. In the field of papal provisions Innocent not only made the concessions of 1245, but he also ceased for several years to collate to English benefices, and in 1253, when English prelates complained that the revenue of English benefices held by foreigners amounted to 50,000 marks, he promised for the future to confer English benefices of no greater annual value than 8,000 marks and to compel the recipients of papal provisions to reside in their benefices.² Though he appeared to ignore the protest against the subsidy when he exacted a second hard upon the heels of the one which had been paid only after two years of persistent pressure upon the English clergy, he may well have felt — as he evidently did about papal provisions — that it might be unwise to exercise further a power which had been vindicated at the cost of so much friction and ill feeling. The English clergy were subsequently asked by Innocent to help finance a crusade, and the funds collected for this purpose were diverted to a papal project in Sicily by Innocent's successor, who also attempted to impose additional taxes for the same purpose. But these burdens were imposed upon the English clergy with the conni-

¹ *Cal. Pap. Regs. Letters*, I, 235; *Regs. d'Innocent IV*, 2997; H.M.C., *Third Report*, app., p. 357; *Cal. of MSS. of Dean and Chapter of Wells*, I, 85; II, 558.

² 22 May: *Regs. d'Innocent IV*, 6556; *Cal. Pap. Regs. Letters*, I, 286; Rymer, *Foedera*, I, 281.

vance of their king, and partly at his initiative. Not until the time of Urban IV were the English clergy again asked to pay a subsidy solely for the advantage of the pope, and thereafter such requests remained very rare. The precedents set between 1239 and 1247 might well have resulted in the papal subsidy becoming a frequent burden upon the English clergy, had not the English made such a prolonged and vigorous protest. The victory, if such it was, may not have been an unmixed blessing, since later in the thirteenth century, and particularly in the early years of the fourteenth, the papacy used the mandatory power more frequently to compel the English clergy to pay income taxes which were fixed in nature and rate by the mandates which imposed them.

15. SUBSIDY OFFERED IN 1251

The subsidy which the English prelates offered voluntarily to give to Innocent IV was inspired by their desire to obtain favors. On 5 November 1251 many of the suffragans of the archbishop of Canterbury were present at the dedication of the monastery of Hayles. On the next day they met at Winchcombe to expedite some business placed before them by the king. At this meeting they also decided to send to the Roman court Master John de Cheham commissioned to seek three papal graces.¹ The first was the limitation of the right of metropolitical visitation accompanied by the exaction of procurations then being exercised by Archbishop Boniface of Canterbury. The attempt to carry out such a visitation, begun in 1250, had been resisted by several ecclesiastical communities in London, and it had roused the apprehension of the clergy of the whole province.² The second was an apostolic mandate compelling all suffragans, non-exempt houses of religious and clergy to contribute to a subsidy for the apostolic see. The third was the withdrawal of the recent papal grant of annates to the archbishop. The concession, which had been made on 27 August 1246, required the bishop of Hereford to collect the first year's revenues of all ecclesiastical benefices falling vacant in the province of Canterbury for the next seven years, unless the sum collected reached 10,000 marks before the expiration of that period. The money was to be applied to the reduction of the debt of the church of Canterbury.³ Though Pandulph had received a similar grant of annates from

¹ H.M.C., *Cal. of MSS. of Dean and Chapter of Wells*, II, 563. Matthew Paris recorded the dedication of Hayles, but assigned the assembly of bishops which reached this decision to Dunstable on 21 September: *Chron. Maj.*, v, 225, 262.

² Matthew Paris, *Chron. Maj.*, v, 119-27, 186-90, 205, 206, 212, 217, 218, 225, 226, 229; *Ann. de Dunstaplia*, p. 181; *Regs. d'Innocent IV*, 4864, 4865, 4885-88; Churchill, *Canterbury Administration*, I, 288-91; Gasquet, *Henry III*, pp. 289-98; Mugnier, *Les Savoyards*, pp. 78-82.

³ Matthew Paris, *Chron. Maj.*, IV, 506-9.

the churches of his diocese years before,¹ such impositions by papal authority were still uncommon, and the English clergy had met the levy in behalf of the archbishop with prolonged opposition which still simmered in 1251.² The bishops at Winchcombe, in order to stimulate their proctor to his best endeavor, offered him a fee of 200 marks with 100 marks for expenses if he obtained the second petition, and only £100 if he failed in that particular. A levy of two pence in the mark on the clerical income of the province was made in 1251 to meet the expenses of the nuncio.³

Though the proctor was opposed by Boniface and was forced to incur a debt of 2,000 marks, he succeeded in an important part of his suit. The pope made no concession with regard to the archiepiscopal annates,⁴ but he limited the power of the archbishop to exact procurations on his metropolitical visitation by the issue of a decretal which defined more exactly than had previously been done the amount of the procuration, and by the complete exemption of the incumbents of parish churches from the payment of procurations.⁵ The second request was granted by letters of 5 June 1252 addressed to the bishops of Lincoln, London and Worcester.⁶ They empowered the three bishops to apportion 2,000 marks for the debt contracted by John de Cheham and 4,000 marks for a gift to the pope among all the non-exempt churches of the province of Canterbury, except the churches and revenues of Canterbury, and to compel payment by the use of ecclesiastical censures. Thus a subsidy was imposed to which only the bishops appear to have given consent, but the favor which the bishops obtained in return for it was of value principally to the lower clergy.

The bishops of London and Worcester began the work of collection by orders to each bishop to ascertain by suitable men the ancient valuation of each church and prebend and the estimated value of the temporal goods of non-exempt houses of religious within his diocese and to forward the resulting detailed list to the collectors at the church of St Paul's about 13 December.⁷ The ancient valuation was probably that of 1217. The value of the temporalities apparently had to be assessed by inquisition because they had not been taxed before for papal income taxes.⁸ The

¹ Lunt, 'First Levy,' *A.H.R.*, xviii, 51.

² Gasquet, *Henry III*, pp. 258-62.

³ Matthew Paris, *Additamenta*, p. 217.

⁴ By 1261 Boniface had relieved the archbishopric of a debt of 22,000 marks: *Cal. Pap. Regs. Letters*, i, 273, 274; Gervase of Canterbury, *Cont.*, ii, 214.

⁵ *Ann. de Burton*, pp. 300-3.

⁶ Possibly these three bishops had reached some antecedent understanding with the pope. They had all been present at the Roman court in 1250: *Ann. de Dunstaplia*, p. 180; *Ann. de Theokesberia*, pp. 140, 141.

⁷ Matthew Paris, *Additamenta*, pp. 213-16.

⁸ Lunt, *Valuation of Norwich*, pp. 48-51.

bishops transferred the work of compiling the assessment to their archdeacons. The bishop of Lincoln, for example, directed his archdeacons to supply him with the itemized lists by 13 November.¹ After the valuation had been established, each bishop ordered his archdeacons or rural deans to collect the subsidy, compelling opponents with ecclesiastical censures. A letter to this effect issued by the bishop of Norwich on 3 February 1253 commanded delivery of the proceeds to himself at Norwich on 24 March,² and the whole subsidy was collected about that time.³ The rate was probably a twentieth of incomes as estimated in the valuation compiled in 1252.⁴

16. SUBSIDIES REQUESTED IN 1262

Soon after Urban IV became pope, he asked the English clergy to pay two subsidies. Late in January 1262 he wrote individually to the bishops and several other prelates exhorting and commanding each to pay to Leonard, precentor of Messina, whom he had just commissioned as general papal collector,⁵ a competent sum in proportion to his own resources and to the need of the Roman church. He explained that Alexander IV had planned to make this demand of English and other prelates, but had died before the letters had been expedited. The purpose of the subsidy was to relieve the Roman church of its debts contracted for the defense of ecclesiastical liberty and particularly for the affair of the kingdom of Sicily. The debts bore interest, and the Roman merchants to whom they were owed were pressing vexatiously for their payment.⁶ The prelates were left free to decide what sums they would give.⁷ The collector could not dictate the amount of the gift, as John the Englishman had done in 1247, though a gift was mandatory. Each bishop was to notify the pope of the amount which he paid to Leonard, and the collector was to assign the receipts to the English agents of specified firms of cameral merchants, certifying the pope of the amounts so delivered.⁸

¹ Matthew Paris, *Additamenta*, p. 216. The inquisition was being made in the diocese of Worcester on 20 November: *Ann. de Theokesberia*, p. 150.

² Matthew Paris, *Additamenta*, pp. 232, 233.

³ *Ann. de Dunstaplia*, p. 186; *Ann. de Wigornia*, pp. 441, 442; *Ann. de Oseneia*, pp. 104, 105.

⁴ *Ann. de Dunstaplia*, p. 186.

⁵ *Cal. Pap. Regs. Letters*, I, 383.

⁶ *Regs. d'Urban IV*, I, 124, 129.

⁷ Implied in the preceding letters and stated specifically in no. 125. The last was written to Peter de Piperno, a papal chaplain in England, and it is dated the Lateran, 20 March, seventh year of the pontificate. Since Urban ruled the church for only three years, and in 1262 was in Viterbo on 20 March, this is evidently one of Alexander's letters which he did not expedite. Its date is therefore 20 March 1261. Since it is preserved in Urban's register, Leonard was doubtless meant to follow the instructions contained in it.

⁸ *Ibid.*, I, 124, 125.

How Leonard fared upon this mission is problematical. When he first came to England, where the king had recently freed himself from the control of the barons and was again exercising the royal power, he was prevented by Henry III from performing his office as far as it related to the twentieth, tenth, legacies to the Holy Land, the goods of intestate clerks and other items which had been granted to the king by Innocent IV or Alexander IV for the affair of the Sicilian crown.¹ Henry then contemplated the renewal of the Sicilian project which had been abandoned during the period of the baronial control of the government.² The prohibition does not appear to have extended to other revenues which the collector had been authorized to assemble, and presumably he was free to interview the several prelates who had been ordered to contribute to the subsidy. Whether he did approach the prelates, and, if he did, what success he may have had are questions left unanswered in the sources which have come under my observation.

The second subsidy sought by Urban IV was to aid the Latin empire of Constantinople. In 1261 the Greeks captured Constantinople and brought the Latin empire to an end. The exiled emperor of the Latins, Baldwin, went to Italy and sought the aid of the pope in 1262. Urban, who had previously been patriarch of Jerusalem, heard him with sympathy.³ He immediately ordered the preaching of a crusade in France and several other countries, and during 1262 and 1263 he asked the clergy of several countries to grant a subsidy to assist Baldwin to recover his throne.⁴

The English clergy were among those of whom he requested a subsidy,⁵ but his letter appears to be no longer extant. Part of his correspondence with the French clergy on the subject has been preserved, and the general nature of the aid sought in the two countries may be presumed to have been alike without great danger of error. In France, where Urban made his first appeal in the hope that success in that country would influence the clergy of other countries to take favorable action in response to similar requests,⁶ he sought two taxes. The first was modelled upon the aid which had been imposed for the empire of Constantinople by the first council of Lyons.⁷ Clerks who did not reside personally in their benefices for six months each year were to pay one-half their revenues from such

¹ *Ibid.*, I, 145; *Cal. Pap. Regs. Letters*, I, 385; below, pp. 284, 509.

² Treharne, *Baronial Plan*, pp. 253-55, 277, 278; below, p. 232.

³ Rocquain, *La Cour de Rome*, II, 164; Bréhier, *L'Église*, p. 233.

⁴ Norden, *Das Papsttum und Byzanz*, pp. 401-5; *Regs. d'Urban IV*, II, 131; Raynaldus, *Ann.*, 1263, § 21.

⁵ *Flores Historiarum*, II, 478.

⁶ Raynaldus, *Ann.*, 1262, § 43.

⁷ Below, p. 250.

benefices, unless they were absent for certain specified reasons such as being on a crusade or in the service of their prelates. Those who were non-resident for any of the stated reasons, except those on crusade or in the service of the pope or cardinals, were to pay a twentieth on an annual income of 100 marks or less, and a third on income above that amount. The bishop of Agen was commanded to collect this tax for three years and payment was compulsory, but its collection was made contingent upon the grant by the French prelates of a subsidy for the same purpose.¹ Though the nature of this subsidy is not known in detail, because some of the earlier letters concerning it were not entered in the extant registers, its salient characteristics are plain enough. Louis IX was asked to persuade his prelates to grant a subsidy in much the same terms that Gregory IX had addressed to him in 1238.² Urban IV approached the French prelates with nothing stronger than kindly exhortations, placing them under no constraint.³ The French prelates, when they were assembled by the bishop of Agen in August 1262, refused to grant a subsidy, and some of them complained to the pope of the number of the subsidies demanded by the papacy and of the extent to which the papacy used the power of provision to French benefices. The pope replied with a remonstrance, but he refrained from any attempt to make the subsidy for Constantinople compulsory.⁴

Soon after 27 May 1263 the prelates and clergy of England were convened at Westminster, at the instance of Leonard and Berard, another papal nuncio, to consider a similar papal request for a subsidy in aid of the fallen empire.⁵ The assembled clergy offered a number of excuses, declared that if they must pay a tax they preferred to help their own king, who was in great need, rather than to come to the aid of a foreign prince, and declined to make a grant.⁶ Since they were in all probability under the pressure of no papal mandate, their refusal may be regarded as final, and we may assume with some confidence that the subsidy was never levied.

¹ *Regs. d' Urbain IV*, II, 133-35.

² *Regs. d' Urbain IV*, II, 132; Raynaldus, *Ann.*, 1262, §§ 40-43.

³ *Regs. d' Urbain IV*, II, 187.

⁴ *Ibid.*, II, 187; Rocquain, *La Cour de Rome*, II, 164, 165.

⁵ *Flores Historiarum*, II, 478, 479.

⁶ The chronicler who recorded this convocation did not specify the nature of the subsidy sought: *Flores Historiarum*, II, 478. Bliss summarizes a papal letter to Leonard in such a way as to make it appear that the collector was ordered unreservedly to levy in England the same tax on absentees that the bishop of Agen had been ordered to assemble in France only if the French prelates granted a subsidy. In the original it appears that Leonard was ordered to collect the arrears of the tax imposed for the same purpose by the first council of Lyons in 1245: *Cal. Pap. Regs. Letters*, I, 383; *Regs. d' Urbain IV*, I, 130.

17. SUBSIDY REQUESTED FOR THE KING IN 1272

For the next decade the English clergy received no further papal demands for subsidies, though they were by no means free from the burden of papal taxation.¹ When the next request came, its purpose was to aid the recovery of the Holy Land. Gregory X, the pope who made it, had returned from a crusade to assume the tiara less than a year before.² Even before his consecration he appealed to Italian cities and to the king of France for men, money and ships to promote the recovery of the holy places,³ and in the letters announcing to the sovereigns of Europe his elevation to the holy see he published his intention to call a general council to consider the affairs of the Holy Land.⁴ None could be disposed to doubt the sincerity of his motives in seeking financial aid for the cause. The money which he sought from the English clergy was to be used, moreover, to help the English princes, Edward and Edmund, meet the debts which they had incurred upon the crusade. Between 1269 and 1271 English laymen and prelates had granted a twentieth of their movables and the clergy a twentieth of their income to finance the expedition of their princes. The levy of the latter tax may be doubted,⁵ and without doubt the princes were still heavily burdened with debts.⁶ The new pope must have been aware of their plight, since it was their expedition in which he had taken part, and he did not forget the services already rendered by the sons of Henry III.

Gregory's request for a subsidy was addressed to the English archbishops, bishops, abbots, priors, provosts, deans, archdeacons and other prelates of churches on 3 September 1272.⁷ He brought to their attention the perils of the Holy Land, the valor of the princes in its defense, and the heavy cost of the expedition, and exhorted them to grant a subsidy from their revenues for relieving the princes of their debts. He informed them further that he was sending to them as his agents in the matter Raymond de Nogaret, his chaplain, and Pierre d'Aussone, canon of St Martin of Tours. Later he wrote individually to the archbishop of York, the bish-

¹ Below, pp. 298-310.

² Above, p. 158.

³ *Regs. de Grégoire X*, 343, 344, 348, 351, 362.

⁴ *Ibid.*, 161; *Cal. Pap. Regs. Letters*, I, 447.

⁵ Lunt, 'Consent,' *Essays in Honor of George L. Burr*, pp. 160-64.

⁶ Röricht, 'Études,' *Archives de l'Orient Latin*, I, 618; Devon, *Issues*, p. 86; Palgrave, *Antient Kalendars*, I, 80, 81, 86; Rymer, *Foedera*, I, 514; Auditors Issue Roll 9.

⁷ *Reg. of W. Giffard*, pp. 39-41. Wykes ascribed the papal request to the petition of Edward presented when he visited the pope at Orvieto on his return from Palestine: *Chron.*, p. 254; Röricht, 'Études,' *Archives de l'Orient Latin*, I, 627. The chronology is impossible. Edward did not leave Acre until August 1272 and he did not arrive at Orvieto until 14 February 1273: Gough, *Itinerary*, I, 20, 21.

ops of Winchester, London, Norwich, Worcester, Exeter and Durham and the abbots of St Albans and Westminster. To each he pointed out that he had merely asked for the grant of an aid, though he might have commanded it, and requested him to be beforehand in raising his voice in behalf of the subsidy in order that the other prelates might be persuaded by his example.¹ In neither of these letters was the amount of the desired subsidy specified, but, on 7 October 1272, Gregory instructed his collectors that, if the prelates, or the greater part of them, should consent to the subsidy, they were to levy for two years² a tenth of all ecclesiastical rents, revenues and obventions except those of the Templars, Hospitalers, Cistercians, Premonstratensians and the order of Sempringham.³ He gave the collectors power to compel payment, and told them to deposit the proceeds in the New Temple at London or elsewhere in the name of the pope and the Roman church, notifying him of the amounts of the deposits.⁴ The portions to be received respectively by King Edward and Prince Edmund were specified in another letter,⁵ which does not appear to be extant.

The nuncios placed the papal request before the prelates of the province of Canterbury when they were assembled with the magnates and representatives of shires and boroughs at Westminster during Hilarytide, 1273.⁶ The archbishop and eleven of his suffragans, who had discussed the request, consented, as far as they had power, to the collection of a tenth of the clerical revenues of the kingdom of England according to the valuation of Norwich for the aid of the princes. They promised to make their will and intention known to the lower prelates and their other clerical subjects, and, if necessary, to induce them to pay the aid. They summed up their attitude in the statement: 'let there be done in these as in other things the pleasure and will of the lord pope.'⁷ Possibly these words indicate a feeling on the part of the clergy that they had little real

¹ 30 September 1272: *Regs. de Grégoire X*, 186; *Cal. Pap. Regs. Letters*, I, 444.

² Several chroniclers, who are followed by some secondary writers, place the duration of the tenth at three years. Two modern historians speak of one tenth for two years and another for three: Hook, *Lives of the Archbishops*, III, 314; Stubbs, *Constitutional History*, II, 108, n. 3, 183, n. 7.

³ The two last were not named in the papal letter, but were enumerated by a Premonstratensian chronicler of Lincolnshire. Apparently the last two paid a composition for the privilege: *Chron. of Hagheby*, Cotton MS. Vesp. B XI, fol. 27.

⁴ *Regs. de Grégoire X*, 193. In Bliss' summary, the mandate to collect the tenth is not made contingent upon the previous grant by a majority of the prelates: *Cal. Pap. Regs. Letters*, I, 444.

⁵ Worcester Diocesan Registry, Reg. of Giffard, fol. 38.

⁶ *Ann. de Wigornia*, p. 462; *Ann. de Wintonia*, p. 113.

⁷ Letter of the archbishop-elect of Canterbury and eleven of his suffragans, dated 19 January 1273: Wilkins, *Concilia*, II, 24; *Reg. of G. Giffard*, I, 51. Ramsay seems to deduce from the letter that the tenth was granted by the prelates of the province of Canterbury only: *Dawn*, p. 535. There is no doubt that it was granted by the prelates of the whole kingdom: *Regs. de Grégoire X*, 328.

choice in the matter. The same view seems to lie at the root of the somewhat paradoxical statement of the annalist of Osney, who said: 'The English church gave, by command of Pope Gregory, a tenth of all revenues to the Lord King Edward.'¹ The writer of *Flores Historiarum* also omitted reference to any grant by the clergy, saying merely that Raymond was sent to England with power to compel ecclesiastical persons to pay a tenth for two years.² The annalist of Dunstable went to the other extreme and ascribed the grant of the tenth to the clergy without mention of the papal initiative.³ The papal letters leave no doubt that the English prelates were constitutionally free to give or withhold their assent, and the reply of the archbishop and his suffragans designated the papal demand as exhortatory.⁴ The nature and the amount of the subsidy were determined by the pope, but the fundamental privilege of a refusal was left to the prelates.⁵ The reply of the prelates of the province of York, who were consulted separately,⁶ is not known, but it must have been favorable, since the tenth was paid in that province.⁷

Whether an opportunity of consent was given to the lower clergy may be doubted. The bishops apparently intended to commit them to the payment of the tenth, unless they opposed it, but the power of the lower clergy to refuse to be bound by the action of the bishops seems to be implied in the promise of the archbishop and his suffragans to persuade the lower clergy to make the subvention, if it should be necessary. The collectors, however, were not troubled by such nice distinctions. They informed each bishop of the powers given to them by papal commission provided the grant was made, notified him that the greater part of the prelates of England — namely, of the archbishops and bishops — had consented to the tenth, and ordered him to warn the clergy of his diocese that instalments of the tenth must be paid to the collectors on certain dates to avoid the penalty of excommunication.

The collectors set the levy of the tenth in motion on 1 February 1273 by addressing to each bishop a letter which was to be announced to the abbots, priors, deans, archdeacons and other exempt and non-exempt

¹ P. 256. A similar statement occurs in *De Antiquis Legibus Liber*, p. 157.

² III, 32. The continuator of Florence of Worcester attributed to the pope the grant of the tenth to the two brothers: II, 211.

³ Pp. 255, 256.

⁴ Wilkins, *Concilia*, II, 24.

⁵ It is commonly said that the tenth was granted under papal pressure: Stubbs, *Constitutional History*, II, 108; Capes, *English Church*, p. 26. There may have been urgent exhortation, but there was no constraint by papal mandate.

⁶ Exch. K.R. Accounts, 350/5, m. 6.

⁷ *C.C.R.* 1272-79, p. 79; Muniments of Dean and Chapter of Durham, Misc. Charters, 3387, 4340, 4449.

clergy of his diocese. It provided for the tenth to be calculated on ecclesiastical revenues according to the valuation of Norwich. The sum due for the first year was to be paid in equal portions on 16 April and 24 June, at a stated place in the diocese, to the collectors or their agents. Those who should be late with their payments or should commit fraud would become subject to excommunication.¹ The render of the tenth for the second year was not fixed for the same dates in 1274, but was demanded before the close of 1273, or at the latest before 21 March 1274.²

The administrative machinery established for the collection of the tenth is not outlined very fully in the extant sources. Apparently deputy collectors were appointed in each diocese,³ but whether the diocese was subdivided into smaller collectoral districts does not appear. The archdeacon of Oxford served as a deputy in his archdeaconry and those adjoining,⁴ and in the deanery of Reading Adam, vicar of Bray, and William, vicar of Cookham, acted as collectors.⁵ Master Robert de Ros, on the other hand, was styled collector in the diocese of London,⁶ and John de Sancto Dionysio, a king's clerk, acted as collector in the three dioceses of Canterbury, Rochester and Chichester.⁷ Yet in the diocese of Rochester one payment was delivered to the prior of Rochester.⁸ Nothing indicates that the bishops took any part in the administration other than to make such announcements to their clergy as the collectors might direct. The deputies were responsible to the two principal collectors and in some measure to the king.⁹

The collectors not only had power to compel payment by ecclesiastical censures,¹⁰ but on occasion they distrained the goods of a recalcitrant debtor and sold enough of them to secure the amount owed for the tenth.¹¹ The wealthier prelates often paid for all their revenues in one place, though the revenues were derived from possessions located in different collectorates. The practice caused much difficulty. The arch-

¹ Wilkins, *Concilia*, II, 24, 25; Worcester Diocesan Registry, Reg. of Giffard, fols. 37v, 38.

² *Ann. de Dunstaplia*, pp. 255, 260; *Ann. de Wigornia*, p. 464; *Ann. de Wintonia*, p. 115.

³ *C.P.R.* 1272-81, pp. 77, 85.

⁴ *C.C.R.* 1272-79, p. 33.

⁵ *C.P.R.* 1272-81, p. 42. A rector also acted in the diocese of Durham: Muniments of Dean and Chapter of Durham, Misc. Charters, 3387, 4340.

⁶ Harl. MS. 622, fol. 109. The archdeacon of London published the letter of the principal collectors to the clergy of London on 15 February 1273, but he may not have acted as a deputy collector: *De Antiquis Legibus Liber*, p. 157. The prior and convent of Ely were collectors in the diocese of Ely: Muniments of Dean and Chapter of Ely, Misc. Charter, Chapman no. 108.

⁷ Issue Roll 17, m. 2.

⁸ *C.P.R.* 1272-81, p. 42.

⁹ *Ibid.*, pp. 62, 77; *C.C.R.* 1272-79, p. 33; Cotton MS. Vitell. A xi, fol. 68.

¹⁰ *Regs. de Grégoire X*, 193; *C.C.R.* 1272-79, pp. 79, 128.

¹¹ *Reg. of W. Giffard*, p. 269.

bishop of York had to ask Raymond to stop distraint upon his manors in the diocese of Worcester, because he had paid the tenth of their revenues to the collector at York.¹ The temporalities of the prior and convent of Christchurch, Canterbury, were valued in the assessment at 1380 marks a year, but Raymond examined other rolls and held an inquest before he was willing to concede that the valuation included the temporal property of the monastery in the whole province of Canterbury.² Some payers compounded for their temporalities,³ possibly because they had not been completely assessed for the valuation of Norwich.⁴ It is also possible that the revenues of some religious houses were assessed anew for this tenth.⁵

In the administration of this subsidy the king intervened extensively. Because the tax had been granted by the English clergy to supply the needs of the king and his brother, the papal collectors sought the help of the secular arm and the royal government took part in the collection more freely than was customary in the levy of a purely papal tax. At the outset royal messengers who were paid by the king carried the executory letters of the collectors to many of the bishops.⁶ On 12 August 1273 a royal clerk was associated with the papal collectors to aid them in their work and to view what had been collected in certain dioceses.⁷ Raymond consulted the keepers of the kingdom concerning some of the problems of administration which arose. When, for example, the steward of the bishop of Exeter asked for a delay for compounding for and paying the bishop's tenth until he should have had time to communicate with his lord, Raymond asked Robert Burnell, one of the guardians of the kingdom, to reply as he saw fit.⁸ The collectors frequently requested the government to instruct the sheriffs to assist with the secular arm in the exaction of the tenth from delinquent debtors,⁹ who could be compelled

¹ *Ibid.*

² Acquittance issued by Raymond to the prior and convent on 12 March 1274 for 138 m. for the tenth of one year: Muniments of Dean and Chapter of Canterbury, Carta Antiqua P 55. The expenses of messengers sent to the collectors by the monks, probably about this affair, are recorded in Lambeth Palace Library, MS. 242, fols. 21^v, 23.

³ *Ann. de Dunstaplia*, p. 259; Florence of Worcester, *Cont.*, p. 211; College of Arms, Arundel MS. 30, fol. 161; Ancient Corres., xxii, 38; Prynne, *Records*, iii, 134; *C.P.R. 1272-81*, p. 40.

⁴ Lunt, *Valuation of Norwich*, pp. 80, 122.

⁵ In a cartulary of Bury St Edmunds there is an estimate of the manors and spiritualities of the cellarer made 3 Edward I on which a tenth was paid: Duchy of Lancaster, Misc. Bk. 5, fols. 58-59^v. It differs from the valuations of 1254, 1268, 1276 and 1291.

⁶ Exch. K.R. Accounts, 350/5, m. 6.

⁷ *C.P.R. 1272-81*, p. 12.

⁸ Ancient Corres., xxii, 38.

⁹ *Ibid.*; Prynne, *Records*, iii, 133.

to pay their quotas in no other way.¹ The government complied readily, and in three successive years the sheriffs received royal orders to levy the tenth from payers who detained it in defiance of the excommunications issued by the collectors and to deliver it to the collectors, whenever they were requested so to act by the collectors or their deputies. Failure to obey the royal writ would render a sheriff liable to the king in his own goods. In some counties the orders were extended to the bailiffs of hundreds and liberties.² In 1275 two king's clerks were placed in charge of collecting outstanding arrears,³ though they did not relieve Raymond de Nogaret of entire responsibility.⁴ During 1275 and 1276 the arrears were recovered rapidly, and by 1277 little was left to be collected.⁵ The efficiency of the collectors was due in part to the extensive coöperation of the royal officials.

The disposal of the proceeds was directed entirely by the king. The papal order to the collectors to deposit the money in the New Temple or elsewhere and to notify the pope before making final disposition of it appears to have been disregarded. The collectors delivered some of their receipts to the treasurer of the Temple, but the treasurer paid out the money as directed by royal writs.⁶ Much of the money was paid by the principal collectors directly into the royal exchequer or wardrobe or to the king's creditors, in accordance with instructions given to them by royal letters.⁷ Some of the royal orders with regard to assignments on the proceeds were addressed to deputy collectors, but they were usually accompanied with concurrent orders from the principal collectors.⁸ In a few instances the king received a payment of the tax directly from the payer.⁹

Though the tenth was granted to defray the expenses of the king and

¹ Shirley, *Royal Letters*, II, 195, 196. These letters have been assigned tentatively by the editor to 1261, because Walter de Merton, to whom one was addressed, was then chancellor. I have previously accepted this as the probable date: *Valuation of Norwich*, p. 93. Since the second letter mentioned Raymond, the letters were probably written between 12 November 1272 and the autumn of 1274, when Walter was again chancellor: Tout, *Charters*, II, 3; VI, 6; *C.P.R. 1272-81*, 56.

² *C.P.R. 1272-81*, pp. 80, 136, 137; *C.C.R. 1272-79*, pp. 79, 128.

³ *C.P.R. 1272-81*, pp. 80, 82, 136.

⁴ *Ibid.*, p. 129.

⁵ The only item of receipt which I have noted after 1276 was a small one recorded in the Pipe Roll for 7 Edward I (123), m. 21. There may have been others, but they are not likely to have been large.

⁶ *C.P.R. 1272-81*, pp. 140, 353; Auditors Issue Roll 9, attached schedule.

⁷ *C.C.R. 1272-79*, p. 33; *C.P.R. 1272-81*, pp. 53, 63, 73, 74, 80, 92, 95. The letters were usually mandatory, but one took the form of a request.

⁸ *C.C.R. 1272-79*, p. 33; *C.P.R. 1272-81*, pp. 62, 77.

⁹ *C.P.R. 1272-81*, p. 40; Pipe Roll, 4 Edward I, m. 22.

his brother,¹ Edward appears to have taken the whole yield of both years without allowing Edmund to have any portion of it. When Gregory learned of this situation, he wrote to the king urging him to share the revenue with his brother. He also wrote to the queen mother soliciting her influence to secure an amicable settlement between her sons.² Edward seems to have ignored the papal request. The royal documents concerned with the tenth never acknowledged Edmund's right to a share of it, speaking usually of a tenth granted to the king for two years.³ There is, moreover, no indication that Edmund ever received any of the proceeds.

The amount which Edward received from the biennial tenth cannot be determined with exactitude. The enrolment of separate accounts of the receipts from such taxes was not begun until the later years of the reign. Receipts from the tenth were entered in the accounts of the wardrobe, the pipe rolls and the receipt rolls, but comparison of these with surviving copies of acquittances and of assignments of the proceeds to the king's creditors and officials indicates that the extant records are not complete. The acquittances and assignments may or may not duplicate both each other and the records of receipts, and duplication, when it exists, is sometimes difficult to detect. The sum found in an acquittance may have been entered among the receipts as several items, the date of the acquittance may differ from the date when the receipt of the sum was recorded, the money may have been delivered by an agent and the acquittance issued in the name of the principal, and many other discrepancies may enter into the situation to render difficult an accurate calculation of the total receipts. In the following computation the attempt has been made to avoid these pitfalls, and the result may perhaps be accepted as an approximation of the total extant recorded receipts which is not remote from the truth.

The amount received by the king which was acknowledged by acquittances entered on the rolls of letters patent was £10,096 13s. 7½d. The sum of the receipts recorded in the pipe rolls and in the surviving accounts

¹ *Reg. of W. Giffard*, p. 41; *Regs. de Grégoire X*, 186; *Ann. de Wintonia*, p. 113. Some writers assert that the pope received part of the proceeds: Hutchinson, *History of Durham*, I, 223; Woker, *Finanzwesen*, p. 46; Prynn, *Records*, III, 133; Ramsay, *Dawn*, p. 310. They rely mainly on a passage of *Flores Historiarum*, III, 32. It reads: 'Hic [Reymandus] partem collectae pecuniae tribuit nobilibus supradictis [Edwardo et Edmundo], pro expensis [suis], partem sibi non modicam reservavit, et ad dispositionem Papae partem maximam congregavit.' The part placed at the disposal of the pope was not intended for him and did not go to him.

² 30 November 1273: *Cal. Pap. Regs. Letters*, I, 446; *Regs. de Grégoire X*, 328, 329; *Ancient Corres.*, XLVII, 138. On 23 July 1274 the pope accredited to the king a papal chaplain who was to treat, among other things, the affairs of Edmund: *Papal Bulls*, 46/1.

³ E.g., *C.P.R. 1272-81*, pp. 40, 63; *Pipe Rolls*, 4 Edward I, m. 22; 5 Edward I, m. 21v.

of the wardrobe was £3,582 17s. 1½d. Removing the items contained in the latter sum which appear to duplicate items making up the former, the total of the recorded receipts is £11,200 1s. 8½d.¹ A further sum of £10,-847 14s. 9d. which the king assigned to his creditors appears not to be duplicated in the record of receipts at the wardrobe and the exchequer.² Thus the total record of receipts was in the neighborhood of £22,000.³ Since the yield of a tenth on the basis of the valuation of Norwich was probably slightly more than £10,000,⁴ and compositions were probably made in 1273 for some revenues from temporalities not included in the valuation of Norwich, this figure may well represent somewhat less than the whole amount actually received.

The importance of this item of revenue to the king was greater than its amount might indicate. Edward I was not only indebted for his crusade, but he also inherited an exchequer which was far from full. The resources of the crown were slender, and the guardians did not venture to increase them by additional taxation until after the king's return to England in 1274. From Michaelmas 1273 to Michaelmas 1274 the total re-

¹ The following table indicates the sources of the above computation and the items regarded as duplicates.

<u>Record</u>	<u>Amount</u>			<u>Duplicated items</u>
<i>C.P.R.</i> 1272-81, p. 40	£ 333	6	8	— <i>C.P.R.</i> 1272-81, p. 353
53	2666	13	4	—Pells Issue Roll 18, m. 3
54	5333	6	8	—Pipe Roll, 4 Edward I, m. 22 in part
59	666	13	4	— <i>Ibid.</i> , 7 Edward I, m. 23 in part
61	266	13	4	—Exch. K.R. Accounts, 350/20, m. 1
85	6	0	0	
92	200	0	0	
95	134	10	4½	Exch. K. R. Accounts, 350/20, m. 1
145	300	0	0	
146	29	8	5	
152	55	0	0	
163	105	1	6	
Exch. K.R. Accounts, 350/20, m. 1	193	6	8	Pipe Roll, 3 Edward I, m. 22v.
Pipe Roll, 4 Edward I, m. 22	796	15	5	
5 Edward I, m. 21v	63	6	0	
7 Edward I, m. 21	36	13	4	
7 Edward I, m. 23	13	6	8	
Total	11200	1	8½	

² *C.P.R.* 1272-81, pp. 53, 62, 63, 73, 74, 80. I have found record of the delivery of £8,000 of this sum: Auditors Issue Roll 9.

³ An entry in the issue roll for Easter term 1276 (Auditors 9, E 403/32) begins: 'Memorandum quod de xx^m marcis concessis per dominum papam de decimis Anglie duorum annorum liberate fuerunt . . . MMM marce.' It does not seem necessarily to imply that 20,000 marks was the total yield of the tenth.

⁴ Lunt, *Valuation of Norwich*, pp. 95-100.

ceipts entered in the receipt rolls and the accounts of the wardrobe were just short of £25,000.¹ While this does not represent the total income of the king during that year, it includes a large part of it aside from the subsidy. To an income of such proportions the tenth obtained with the aid of the pope must have been a welcome addition.

18. SUBSIDY REQUESTED FOR THE POPE IN 1326

After 1273 the English clergy appear to have received from the papacy no more commands or invitations to grant subsidies to either king or pope for over half a century. Though the popes during this long interval sometimes sought subsidies from the clergy of other countries,² when they wanted the English clergy to pay taxes to the papal camera or the royal exchequer, they employed the mandatory power. The English clergy were no longer given any voice in the matter. Only at the very close of the period under consideration was the expedient of a subsidy revived. John XXII waged war against his own rebellious Italian subjects and against the Ghibellines of the peninsula throughout his pontificate. In 1326, after he had spent freely of his own personal fortune to maintain the war, he called upon the clergy of the greater part of the Roman catholic world to come to his aid with a subsidy. Letters presenting this request, which were dated 20 May 1326, were sent to the archbishop of Canterbury and his suffragans, and supporting letters were addressed to the remaining clergy and also to individual bishops.³ The letters informed their recipients that the resources of the Roman church did not suffice for the defense of the faith against 'the boldness of heretics and infidels, raging cruelly in parts of Italy against God and the catholic faith,' and implored the aid of them and others of the faithful in the form of a subsidy to be paid by them and their clergy to the papal collector, Hugh of Angoulême. Apparently the collector was to inform them what kind of a subsidy was desired.⁴ In the diocese of Toul the prelates, including the rural deans, paid round sums, probably proportioned roughly according to their wealth. The lower clergy seem to have escaped payment.⁵

Though Hugh was directed to present the letters to the English prelates

¹ Ramsay, *Dawn*, p. 542.

² E.g., *Regs. de Boniface VIII*, 2886.

³ Salisbury Diocesan Registry, Reg. of Mortivall, II, fols. 240^v, 241; Ely Diocesan Registry, Reg. de Insula, end of vol. Similar letters addressed to the prelates of Ireland are published by Theiner, *Vet. Mon. Hibernorum*, pp. 233, 234.

⁴ They were to give credence to Hugh, and from letters sent to prelates elsewhere it appears that the credence was to be given to what the collector should say about the nature of the subsidy: Kirsch, *Die päpstlichen Kollektorien*, pp. 109-18.

⁵ *Ibid.*

and clergy,¹ the archbishop of Vienne and John de Grandisson, who was soon to become bishop of Exeter, acting as papal envoys, convoked a council of the clergy of all England at St Paul's on 17 January 1327 for consideration of the request. The English clergy, who regarded the subsidy as directed against the emperor as well as the Italian Ghibellines, declined to contribute. They offered as reasons the schism among the English magnates, other perils which threatened the realm, and the oppressions which were being suffered by the English church.²

Before the general grant had been denied, the bishop of Exeter had made a liberal donation for the Italian war.³ Influenced possibly by this example, John XXII, after the rejection of his request for a subsidy, wrote to individual English prelates asking for gifts,⁴ and instructed Hugh of Angoulême to collect them.⁵ This appeal appears to have met with some success. Early in 1328 the archbishop of York sent to the pope a present of 1,000 florins for purposes not specified,⁶ and in 1332 the bishop of Salisbury contributed 6,000 florins for the necessities of the pope and the Roman church.⁷ John XXII also received some aid from the English Cistercians who were bound by the general action of the order, which, in order to be exempt from the general subsidy, paid a half a tenth as a subsidy of its own. In England the tax was collected by the abbot of Beaulieu. He paid to the papal camera two sums of £345 16s. 8d. and £50, which were acknowledged by acquittances dated respectively 17 August 1329 and 7 April 1330.⁸

¹ *Cal. Pap. Regs. Letters*, II, 478.

² *Ann. Paulini*, pp. 324, 348.

³ *Cal. Pap. Regs. Letters*, II, 479.

⁴ 10 November 1327: Salisbury Diocesan Registry, Reg. of Mortivall, II, fol. 240^v; *Reg. of Grandisson*, I, 194.

⁵ 11 November 1328: *Cal. Pap. Regs. Letters*, II, 487. As the letter is summarized there, it might relate to these gifts or to the general subsidy, but the statement of a convocation held in 1330 makes it certain that a general subsidy was never granted: *Ann. Paulini*, p. 348.

⁶ *Cal. Pap. Regs. Letters*, II, 487.

⁷ *Ibid.*, II, 504.

⁸ *Oblig.* 12, fols. 110^v, 127. They were exchanged respectively for 2,000 and 300 florins.

CHAPTER V

MANDATORY INCOME TAXES TO 1272

1. FORTIETH OF 1199

INNOCENT III was the first pope to impose an income tax upon the clergy, but his innovation, like so many of those which Henry II wrought in the English judicial system, was a skilful adaptation of experiments which had been made in the field by others. On several occasions between 1166 and 1188 lay rulers levied taxes upon the income and personal property of their lay and clerical subjects for the maintenance of the war against the infidel in the Holy Land.¹ In 1188 Clement III commanded the clergy of the province of Canterbury to contribute from their resources for the same cause.² Since he specified neither the nature nor the amount of the required payments, he seems to have had in view compulsory alms rather than a systematic tax.³ Both precedents were established for the purpose of financing the crusades. When Innocent III had to meet the same problem, he associated the vital principle that the papacy could compel its clerical subjects to render pecuniary assistance to the crusades with the financially productive expedient of an income tax.

The need of financial help for the Christian cause in the Holy Land was brought to the attention of Innocent III soon after his accession by urgent appeals from the kings of Armenia and Jerusalem. They informed him that divisions among the Saracens offered an opportunity for the recovery of the holy places which might soon be lost by establishment of the peace which even then the conquerors were attempting to negotiate among themselves. Influenced by the desire to take advantage of the situation, the new pope allocated a tenth of his annual revenues to the cause, and, on 27 December 1199, ordered the clergy of many ecclesiastical provinces to convert to the same purpose a fortieth of their ecclesiastical rents and revenues for one year.⁴ Excepted from the mandate were the Cistercian, Premonstratensian, Grandmontine and Carthusian orders,

¹ On these taxes see Lunt, *Valuation of Norwich*, pp. 1-9; the references there cited; and Lunt, 'Clergy and Taxation,' *Facts and Factors in Economic History* by students of E. F. Gay, pp. 64-80. Cf. La Monte, *Feudal Monarchy*, pp. 179-82.

² Below, p. 422.

³ Gottlob, *Kreuzablass*, pp. 188, 189.

⁴ Roger of Hoveden, *Chron.*, iv, 108-12; Ralph of Coggeshall, *Chron.*, pp. 113-16; Migne, *Patrologia*, ccciv, 828-32.

which were allowed to pay a fiftieth.¹ Those who failed to observe the command were threatened with divine judgment, and those who paid the fortieth willingly and faithfully were accorded the relaxation of a fourth of their enjoined penances. Assurance was given that the tax should not become a precedent. The administration of the tax was entrusted to the archbishop and bishops of each province to whom the letter was addressed. They were to convene immediately in the metropolitan church and decide how to carry out the mandate. Each bishop on his return to his diocese was to convoke a synod and command the exempt and non-exempt abbots and priors, the archdeacons, the deans and all clerks to assess their rents and revenues according to just estimation and within three months to deliver the fortieth of the assessment at a designated place within the diocese. The payments were to be witnessed not only by the bishop but also by some monks and some laymen. Those who paid less by accident or design could escape the pronounced penalty by rendering the balance due. The bishops were to deposit the proceeds in safe places and notify the pope of the amounts by letters sent by special messengers.

The bishops did not collect the fortieth until 1201.² The reason for the delay is unknown, but it was probably the opposition of the clergy. The assumption of this new power by the papacy evoked the resistance of the French clergy,³ and the repetition of the papal mandate on 5 May 1201⁴ gives color to the assumption that the English clergy had taken a similar attitude. The work of the bishops was supplemented by that of a papal nuncio, Master Philip, a papal notary, who arrived in England before 24 April 1200 and was still there on 1 June 1206.⁵ He probably brought the bull ordering the levy, in one instance at least he convoked the abbots and priors of a diocese to announce to them the terms of the papal mandate,⁶ and he was responsible for the transmission of the funds to the pope.⁷ Manifestly he had power to supplement or supervise the

¹ Migne, *Patrologia*, ccxiv, 826–28. The Cistercians compounded their fiftieth in 1201 for 2000 marks: Potthast, *Reg.*, 1435; Ralph of Coggeshall, *Chron.*, pp. 130, 131; *Ann. de Waverleia*, p. 253.

² Roger of Wendover, *Flores*, III, 167; 'Ann. S. Edmundi,' *Ungedruckte Geschichtsquellen*, p. 140; *Regs. of Bronescombe and Quivil*, p. 293.

³ Luchaire, *Innocent III, la Question d'Orient*, p. 9.

⁴ Roger of Hoveden, *Chron.*, IV, 165–67.

⁵ *Rot. Chartarum*, p. 61; *Rot. Lit. Claus.*, I, 72; H.M.C., *Report on Various*, I, 216.

⁶ *Reg. Malmesburiense*, I, 409. The document is undated, but mention of Robert, abbot of Malmesbury, places it before his death in 1205.

⁷ Ralph of Diceto, *Opera*, II, 168, 169. The bull ordered the bishops to provide crusaders with money from the funds at their disposal, but this order related only to the voluntary contributions placed in chests in the churches by laymen: below, p. 423. What the bishops were to do with the deposits of the proceeds of the fortieth, after they had notified the pope of their amounts, is not specified in the bull. Cf. Luchaire, *op. cit.*, pp. 10, 11.

work of the bishops, but the extent of his authority is left in obscurity by the available sources. Indeed, the working of the whole administrative system has to be left largely to the imagination. No accounts of the collectors survive, and it may be doubted if any were kept, since only the total sum in each diocese had to be reported to the pope. Even records of sums paid by individual taxpayers are lacking.¹ If the powers of the bishops were stated fully in the original mandate, they had no right to revise the valuations made by the individual taxpayers and no power of compelling payment by such mundane penalties as excommunication or sequestration. The assessment was to be announced by each taxpayer in a diocesan synod, where too great a discrepancy from the actual income might have caused the unfavorable comment of his neighbors, but it was not made under oath. Since the penalty for dishonesty or disobedience was remote, and the suspicion that the proceeds would go no farther than Rome was strong,² it may be surmised that the assessments were put at low figures, and it may be wondered if all the clergy paid the tax. The disposal of the proceeds was certainly managed laxly. Stephen Langton, at some time after his return to England in 1213, received some of the money which had been collected in the diocese of Exeter before 1206.³ If Innocent III derived the idea of an income tax from the previous experiments of lay rulers, he did not profit from their accumulated administrative experience in the assessment and collection of such taxes.

2. TRIENNIAL TWENTIETH OF 1215

The second papal income tax, like the first, was imposed to finance a crusade. In 1213 Innocent III ordered a new crusade to be preached⁴ and gave notice that a general council would be convened in 1215 to consider the project.⁵ The council approved a long decree on the subject,⁶ which was promulgated by the pope on 14 December.⁷ It fixed the date for the departure of the expedition in 1217, established rules for the crusaders, conferred upon them privileges, and offered the usual indulgences

¹ The one sum paid for a fortieth in 1201 which I have discovered seems to have been for a fortieth which King John requested his barons to pay from their lay fees: Lunt, *Valuation of Norwich*, pp. 12, 13; above, p. 190.

² Ralph of Diceto, *Opera*, II, 169.

³ Collected in the time of Bishop Marshal, who died in that year: *Regs. of Bronescombe and Quivil*, p. 293.

⁴ Potthast, *Reg.*, 4725, 4727; Ralph of Coggeshall, *Chron.*, pp. 167, 168; *Ann. de Dunstaplia*, p. 40; *Ann. de Waverleia*, p. 281.

⁵ Potthast, *Reg.*, 4706; Luchaire, *Innocent III, le Concile de Latran*, p. 6.

⁶ Hardouin, *Concilia*, VII, 71-78.

⁷ Potthast, *Reg.*, 5012.

to those who participated or contributed to the expenses.¹ Upon prelates and clergy it placed a mandate to pay a twentieth of their ecclesiastical revenues for three years to those whom the apostolic see should appoint for the purpose. The honest payers were to be rewarded with the remission of an appropriate part of their enjoined penances, and those who failed to pay or committed fraud were to be excommunicated. The decree exempted from liability for the twentieth crusaders who should take part in the expedition and certain religious orders which were not named. They were, it appears from later papal letters, the Cistercian, Premonstratensian and Grandmontine orders, the brothers of the Holy Sepulchre and of Roncesvalles, and the nuns of Fontevault. Certain revenues of the Teutonic knights were also exempt, the Cluniacs were allowed to collect their own twentieth and deliver it to the treasury of the Temple at Paris, where part of the funds were stored, and monasteries exempt from episcopal jurisdiction received permission to collect the tax from their own impropriated churches.² The pope and the cardinals were to give a tenth for the same period.

Innocent III was active in directing the organization of the crusade from the time of the council until his death on 16 July 1216.³ Among these activities was the nomination of collectors of the twentieth in several provinces. In one instance he selected papal nuncios,⁴ but more commonly he placed the collection in the hands of the local masters of the Temple and the Hospital assisted by a few other designated members of the local clergy.⁵ When he notified the local clergy of these appointments, he ordered them to pay the twentieth to the collectors on a specified date.⁶ Innocent III died before the collection of the tenth could have proceeded far. Either he had not issued his mandates to all the clergy, or his mandates were regarded as cancelled by his decease. His successor, Honorius III, during the early days of his pontificate, sent out

¹ Below, p. 423.

² *Reg. Honorii III*, 101, 102, 652, 1547, 1921, 1956, 2088, 2090, 2558, 3013. Pandulph was exempted on 11 May 1220 from payment of the balance of the twentieth due from the bishopric of Norwich: *ibid.*, 2428.

³ Potthast, *Reg.*, 5012, 5048–50; Theiner, *Vet. Mon. Slavorum*, I, 64–66; Hampe, 'Aus verlorenen Registerbänden,' *M.O.G.*, xxiii, 558, 559.

⁴ Theiner, *Vet. Mon. Slavorum*, I, 68, no. 151.

⁵ *Ibid.*, I, 68, no. 152.

⁶ The volumes of the papal registers containing copies of the letters of Innocent III written after the council of the Lateran have been lost: Hampe, 'Aus verlorenen Registerbänden,' *M.O.G.*, xxiii, 546, 547; Delisle, 'Les Registres,' *Bibl. de l'École des Chartes*, XLVI, 91, 92; Rocquain, 'Les Lettres,' *Journal des Savants*, 1873, p. 441. An inventory of them made in the time of Innocent VI has been published by Theiner, but the summaries are very brief. The summary of the above letter does not state what the date was: *Vet. Mon. Slavorum*, I, 68, nos. 151, 152.

similar letters,¹ which appear to have repeated the terms of the mandates of Innocent III.²

No copy of the executory mandate addressed to the English clergy by either pope is available, but presumably the general methods of administration used in England were the same as those which Honorius III prescribed for the clergy of the province of Gran on 21 November 1216.³ He notified the clergy of the province of the collectors whom he had appointed, and ordered them to be prepared to declare to the collectors on 1 November 1217 the amount of their fixed and casual revenues for three years and to pay the twentieth of this amount to the collectors on the following 1 May. The bishops were directed to make the letter known by publication in diocesan synods. The collectors named in the letter were the masters of the Temple and the Hospital in the province and the cantor and the treasurer of Gran. Two or more suitable clerks and a Templar and a Hospitaller were to be deputed as assistants by the preceding four collectors. Whether the collection in the English provinces was committed similarly to local ecclesiastics or whether it was assigned to the papal legate from the first is not known. The earliest instructions to the English collector which I have found were issued to Pandulph on 18 August 1220.⁴ They merely urged him to diligence and gave orders for the disposal of the proceeds. They did not constitute his original commission, since he had already been engaged with the collection of the tax for two years.⁵ He may have taken over the responsibility from Guala, whom he succeeded as legate in 1218.⁶ Guala was appointed legate soon after the council of the Lateran,⁷ and since Innocent III appointed a nuncio as collector in a French province,⁸ he may have utilized Guala for the purpose in England. Pandulph, on the other hand, may have superseded or been placed above the masters of the English Templars and Hospitalers. About the time that Honorius dispatched Pandulph to England, he sent several members of his household to various parts of Europe as nuncios and legates to supersede or to supervise the original local collectors.⁹ These new appointments were made by Honorius in order to remedy the defects which he had found to be inherent in a decentralized administration.¹⁰ Even after Pandulph was placed in charge, the arch-

¹ Potthast, *Reg.*, 5362-65; *Vet. Mon. Hungariam*, I, 3, no. 2.

² Lunt, *Valuation of Norwich*, pp. 14, 15.

³ *Vet. Mon. Hungariam*, I, 3, no. 2.

⁴ Theiner, *Vet. Mon. Hibernorum*, p. 17, no. 40.

⁵ *Cal. Pap. Regs. Letters*, I, 57; Potthast, *Reg.*, 6285.

⁶ Below, p. 611.

⁷ Below, p. 611.

⁸ Theiner, *Vet. Mon. Slavorum*, p. 68, no. 151.

⁹ *Reg. Honorii III*, 1617, 1634, 1808, 1815, 2664, 2665, 3508; Bouquet, *Recueil*, XIX, 676.

¹⁰ Rodenberg, *Epistolae*, I, no. 124; Jordan, *De Mercatoribus*, p. 71.

bishops and bishops appear to have retained some responsibility. Late in 1218 the pope ordered them to assign any of the twentieth which was collected to Stephen, a Hospitaller who was a member of the papal household, and Henry, a Templar.¹ Pandulph, on the other hand, appointed deputies, of whom one was the abbot of Stanley Park.²

The work of collection began in England in 1217, when the canons of Dunstable paid their twentieth for three years,³ although it was not due until 1 May 1218. The payments appear to have been rendered more commonly, however, in 1219.⁴ Though there was some tardiness, the twentieth was probably paid more faithfully than the fortieth of 1199. The payers were free to make their own assessments, but this time any fraud would bring the very concrete penalty of excommunication. It was probably to avoid the danger of this sentence that the canons of Dunstable determined their liability for the twentieth 'by the common estimation of good men.'⁵ The collectors, moreover, entered in rolls the amounts paid by each.⁶ The rolls served not only to establish the amounts paid by or due from each payer, but they also constituted the first written valuation of English clerical income. This valuation was later used for the levy of the sixteenth granted to the king by the clergy in 1226 and of several other income taxes.⁷

The arrangements for the disposal of the proceeds established by Honorius III in February 1217 contemplated decentralized disbursements. After the sum collected in each diocese had been reported to the pope by the collectors and other trustworthy men, the collectors and the bishop were to select five distributors from among those of the diocese who had taken the cross. The bishop was to be one of the five, if he had assumed the cross. They were to transport the money to the Holy Land, and, with the approval of the legate in charge of the crusade, distribute it to crusaders coming from their own neighborhood. They were then to render an account of their disbursements to the legate and the masters of the Temple and the Hospital and obtain the testimonial letters of these auditors. The distributors could, however, give some of the money to needy crusaders from their districts at the beginning of the journey.⁸ The

¹ Rodenberg, *Epistolae*, I, no. 80.

² *Vet. Reg. Sarisberiense*, II, 70, n. 1.

³ *Ann. de Dunstaplia*, p. 52.

⁴ *Ann. de Theokesberia*, p. 64; *Ann. de Wigornia*, p. 411.

⁵ *Ann. de Dunstaplia*, p. 52. On the possibility that this method of assessment was commonly employed see Lunt, *Valuation of Norwich*, pp. 16, 17.

⁶ *Vet. Reg. Sarisberiense*, II, 70, n. 1.

⁷ Above, pp. 189, 219, 226. On the valuation and for fragments of it see Lunt, *Valuation of Norwich*, pp. 17, 18, 526-39.

⁸ 20-28 February: *Reg. Honorii III*, 381; Theiner, *Vet. Mon. Hungariam*, I, 6, no. 8.

papal letter establishing these regulations was ordered to be published in every diocese in order to dispel the suspicions and meet the criticisms of those who believed that the money would be used by the papacy for purposes other than the crusade.¹

Though a letter of this type was addressed to the English clergy, it was probably never put into effect. When Honorius III appointed members of his household to collect the tenth, he centralized the control of the proceeds. Some of his new agents were instructed to take charge of the transfer of the money which they collected,² and large sums were delivered to the papal camera, or deposited elsewhere to the papal order and transmitted to the Holy Land by agents whom the pope designated.³ Brief experience with the first plan of handling the proceeds had convinced Honorius that it was resulting in great waste. It might be an adequate safeguard against the popular suspicion that some of the money would stick on the way through the papal camera, but it was leaving the Holy Land without the needed help.⁴ Pandulph was directed to deposit the yield of the English twentieth at the Temple or the Hospital in Paris.⁵ The greater part — and probably all — of the English twentieth was delivered after he became collector. On 24 July 1220, when the bulk of it had been collected, 18,000 marks of the proceeds had been sent to the Holy land,⁶ and Pandulph still had on hand 2007½ marks which he could lend to Henry III.⁷

The administration of the twentieth thus marked a notable advance over that of the fortieth. Innocent III rendered the machinery more effective by giving to the collection the sanction of ecclesiastical censure. He failed, however, to centralize the administration. Honorius III at first followed in the footsteps of his predecessor, but soon instituted reforms which were doubtless based in some measure on his financial experience as papal camerarius. The collection was placed in charge of members of his own household whom he could hold more directly accountable than local collectors, and for the transmission of the money to the legate in charge of the crusade he became largely responsible himself. The system established by Honorius III worked so much more efficiently that it

¹ Rodenberg, *Epistolae*, I, 89.

² Bouquet, *Recueil*, XIX, 676, 690.

³ *Reg. Honorii III*, 1824, 2195, 2574; Potthast, *Reg.*, 6285.

⁴ Rodenberg, *Epistolae*, I, 88, no. 124.

⁵ The earliest instructions to this effect which I have found were dated 18 August 1220, but before that date he had already sent a large sum to the Temple at Paris: *Cal. Pap. Regs. Letters*, I, 75; *Reg. Honorii III*, 2620; Potthast, *Reg.*, 6285; Theiner, *Vet. Mon. Hibernorum*, p. 17; Bouquet, *Recueil*, XIX, 702.

⁶ *Cal. Pap. Regs. Letters*, I, 74.

⁷ *Pat. Rolls*, 1216-25, p. 253.

was subsequently copied by most of his successors during the thirteenth century. In the financial history of the papacy Honorius III deserves to be remembered as a great organizer.

In England the twentieth may well have been collected even more efficiently than in most regions, since Pandulph was himself the papal camerarius. Though detailed records are lacking, the sum produced by the English twentieth indicates that the work of collection was done thoroughly. The subsidy of 6,000 marks paid by the English clergy in 1246, probably on the basis of the valuation for this twentieth, was called a twentieth,¹ whereas the yield of one of the three twentieths collected by Pandulph was well above 6,000 marks. From time to time later papal collectors were empowered to levy arrears of the twentieth,² but it may be doubted if any large sum still remained unpaid. With the twentieth the papal tax on the income of the English clergy was well on the way to become a profitable source of revenue.

3. TENTH OF 1228

Gregory IX was the first pope to levy an income tax for another purpose than a crusade. On 20 December 1228, putting forth the plea that the emperor's invasion of papal territories necessitated the placing of papal armies in the field, he ordered the clergy of the ecclesiastical provinces which were not controlled politically by Frederick II to grant to him a tenth of their rents and revenues.³ Though he neither commanded the clergy to pay the tenth nor supported his mandate to grant it with threats of ecclesiastical censure, the English clergy regarded such penalties for disobedience as inherent in the command. Their concession was a mere form, and the tenth was practically a compulsory income tax imposed by Gregory IX for the needs of the papacy.⁴

The collection of the tenth was committed to Stephen of Anagni, who had already been in England for a year acting as collector of papal revenues.⁵ The clergy were informed that the pope had explained his intentions with regard to the tenth more fully to Stephen. They were conse-

¹ Above, pp. 218, 219.

² Stephen of Anagni was empowered to raise any sums owed to the Holy Land, though the twentieth was not specified: *Vet. Reg. Sarisberiense*, II, 146. Boetius made a thorough inquiry concerning arrears in 1234: *Ann. de Oseneia*, p. 80. Later still Gregory IX and Innocent IV ordered the arrears to be collected and paid to Richard of Cornwall, but nothing indicates that he received any money from this source: above, p. 195.

³ *Vetus Reg. Sarisberiense*, II, 144-46; *Regs. de Grégoire IX*, 251; 'Ann. de Southwark,' *M.G.SS.*, xxvii, 432; Winkelmann, *Kaiser Friedrich II*, II, 41, n. 2.

⁴ On the grant see above, pp. 191-93; Lunt, 'Consent,' *Essays in Honor of George L. Burr*, pp. 123-26.

⁵ Below, p. 611.

quently ordered to accept the collector's definition of the taxable rents and revenues and to pay their quotas at the times established by him. Stephen was empowered to use ecclesiastical censures against any who should oppose him or practice fraud, and he was instructed to make a valuation by means of suitable deputies, whom he was to bind to the honest performance of their work by oath and by any other means that occurred to him.¹ Some of the English prelates were enjoined to advance to Stephen immediately money for payment of the stipends of the troops of the apostolic see, receiving their reimbursement from the tenth when it should have been collected.² The Cistercians were exempted from payment of the tenth.³

The valuation was made in 1229. The assessors appointed by Stephen were authorized to force all the clergy of a diocese except the bishop to disclose the value of their incomes under oath. The nature of ecclesiastical rents and revenues was defined in the instructions issued to the assessors with great detail, and the deduction of expenses or debts from estimates of income was forbidden. The assessors were told to make their valuation higher than that for the twentieth had been. They could strike opponents and falsifiers with a variety of ecclesiastical censures, and Stephen claimed the right to depose defrauders from their offices and benefices and to reserve the vacancies thus created for papal provision.

These administrative methods were much more thorough than any previously employed to make a valuation. The papal agents took the initiative, they could compel the taxpayers to state their revenues under oath, and they could enforce their authority with adequate penalties. The assessors were bound to the collector by oath, and the papal camera could review the work by means of the written record which the assessors were required to keep. The assessment was so rigorous that several possessors of large incomes compounded with the collector for their tenths rather than to risk the serious penalties attendant upon a false return. Though the items of the valuation which have been preserved are too few to admit of adequate comparisons with other valuations, there can be little doubt that the assessment of 1229 marked an increase in the appraised value of English clerical income.⁴

Stephen ordered the tenth to be paid in equal portions. One fell due at Michaelmas, 1229 and the other apparently in the spring of 1230.⁵ He appointed local collectors in each diocese who were not always the same

¹ *Vetus Reg. Sarisberiense*, II, 146-48.

² *Ibid.*, II, 148, 149, 155, 156; Roger of Wendover, *Flores*, IV, 202; *Ann. de Dunstaplia*, pp. 114, 115.

³ *Ann. de Dunstaplia*, p. 125.

⁴ For more detailed information see Lunt, *Valuation of Norwich*, pp. 20-27.

⁵ *Vetus Reg. Sarisberiense*, II, 156; *Ann. de Theokesberia*, p. 73; *Ann. de Dunstaplia*, p. 125.

as the assessors. Master Silvester, Stephen's clerk, and Berard of Sezze, a papal scribe who was another of the collector's assistants, served in both capacities, but the bishop was placed in charge of the collection in the diocese of Salisbury and the chapter of Salisbury was instructed to designate two or three members to receive the tenth owed by the clergy of the archdeaconries of Salisbury and Dorset. The local collectors were to send the money to Stephen at the New Temple, London, and to accompany it with rolls containing a statement of the amount received from each payer.¹ Roger of Wendover complained that the instalment due in the autumn had to be paid even on the unharvested crops and in the form of money valued by weight.² Some prelates had to pawn the holy vessels of their churches in order to obtain the money,³ and some borrowed money at interest from Italian merchants who were associated with Stephen. Failure to deliver an instalment to the collector when it was due subjected the delinquent to ecclesiastical penalties,⁴ though some appear to have fallen into arrears.⁵ The rigor of the administration roused much antagonism. With the earl of Chester the spirit went so far that he forbade the clergy on his fee to pay the tax, but with what result we are not told.⁶

Although we have little detailed information concerning the working of this administrative system, and next to none with regard to the amount produced by the tenth, the comments of the chroniclers upon the great severity employed in the assessment and collection⁷ leave no doubt that it was marked by a higher degree of efficiency than any which the English clergy had experienced before. Gregory IX carried further the administrative centralization which Honorius III had begun. Indeed, the process of local centralization was completed in all its essential outlines in 1229. Later popes of the thirteenth century improved the method of levying income taxes greatly in detail and they tightened the central control of the local administration, but they changed the fundamental principles of assessment and collection only slightly.

¹ *Vetus Reg. Sarisberiense*, II, 149-56.

² Cf. Cunningham, *Growth of English Industry*, I, 207.

³ Roger of Wendover, *Flores*, IV, 203.

⁴ Matthew Paris, *Chron. Maj.*, III, 188, 189; Muniments of Dean and Chapter of Durham, Misc. Charter 4544.

⁵ *Ann. de Theokesberia*, p. 77; *Chron. de Evesham*, p. 274.

⁶ Roger of Wendover, *Flores*, IV, 203.

⁷ *Ibid.*, IV, 202, 203; *Ann. de Waverleia*, p. 305; *Ann. de Theokesberia*, p. 73; *Flores Historiarum*, II, 207.

4. TAXES DECREED BY THE COUNCIL OF LYONS IN 1245

The next mandatory income tax imposed upon the English clergy was intended to finance a crusade. In 1245 the fathers assembled in the general council of Lyons decided to provide pecuniary aid for the recovery of Jerusalem from the Kharismian Turks and for the support of the Latin empire of Constantinople. At the last session on 17 July they approved a constitution on each of these subjects.¹ That on the Holy Land was with insignificant alterations identical with the canon of the fourth council of the Lateran on the same subject.² It ordered the clergy to pay a twentieth of their ecclesiastical revenues for three years. The exemptions were stated in the same general terms, but those who actually escaped liability appear to have been only the Hospitallers, Templars, Teutonic Knights and Cistercians.³ The constitution decreeing an aid for the empire of Constantinople commanded clerks who did not reside personally in their benefices for at least six months each year to pay half of their revenues during three years. Exceptions were made of those who were absent because they had undertaken to aid either Jerusalem or Constantinople personally, were engaged in the service of the pope, the cardinals or other prelates, or were licensed by their bishops to make journeys, attend schools or transact the business of their churches. Each of these exempted persons except crusaders was, however, to pay a third of his annual revenues in excess of 100 marks. The collection was to be made by agents appointed by the pope, and those who intentionally committed fraud would be excommunicated thereby.⁴ These provisions were elucidated and amended by the papal executory letters issued on 30 April 1246.⁵ The exempt clerk who was not a crusader was to pay a twentieth of his income if it was less than 100 marks a year. The absentees were not to escape liability for the tax because they paid to substitutes the major portion of what they received. Those who received the fruits of vacant benefices were also to pay half of their receipts to this fund.⁶

In England these taxes evoked a prolonged opposition. At the council itself the clauses of the canons providing for collection of the aids by papal

¹ 'Brevis Nota,' *M.G. Const.*, II, 514, 516; Cole, *Documents*, p. 351.

² Hardouin, *Concilia*, VII, 392-95; Matthew Paris, *Chron. Maj.*, IV, 456-62; *Ann. de Burton*, pp. 267-71; Rymer, *Foedera*, I, 279 (where it is dated wrongly).

³ *Regs. d'Innocent IV*, 2053, 3551.

⁴ Canon XIV: Hardouin, *Concilia*, VII, 390.

⁵ Summarized by the annalist of Burton, pp. 276-78. See also the commission of a collector dated 29 December 1246: Rymer, *Foedera*, I, 264.

⁶ These provisions were misunderstood by some contemporaries and they have been stated erroneously ever since: Lunt, 'Early Assessments,' *Annual Report of Am. Hist. Assoc. for 1917*, p. 277, n. 84; *idem*, *Valuation of Norwich*, p. 37, n. 7.

agents caused adverse criticism. The clergy were not yet reconciled to the centralized administration of such taxes. Suspicion that the Roman court would profit from the money was also expressed. These sentiments were not strong enough, however, to prevent approval of the legislation. The English prelates at the council appear to have offered no stronger opposition than their colleagues from other lands,¹ but the English nuncios who came to present complaints with regard to the fiscal burdens already imposed upon England by Innocent IV objected to both taxes.² In the protests subsequently prepared by the English at the great council held on 18 March 1246 these taxes were not mentioned specifically,³ but the opposition to them found expression later in the year. On 1 December 1246 the bishop of London presented to the clergy convened at St Paul's the papal executory letters concerning the aid for Constantinople. The clergy, who were forbidden by the king to consent to the tax, formulated their objections to it.

The pope and the council, they argued, would not have promulgated the statute, had they been familiar with English conditions. In many cathedral churches large numbers of the canons were by custom non-resident for more than half the year. If they should pay half their revenues without deduction of expenses, they would not have enough left to pay their substitutes, and services in their churches would cease. If they should reside in their canonries, their other benefices would become liable for the half, and the position would be no better. Members of religious communities which were dependent for their income largely upon benefices would be compelled to live on charity and might be forced to become vagabonds, falling into manifold sins. Rectors would have to give up their hospitality and pious works, thus incurring the ill will of their parishioners. Those whose benefices did not suffice for a residence of six months would have to beg, divine services would cease, and the faith would be endangered. The poor could no longer be sustained by ecclesiastics. Some would starve and others would be driven to theft. Murder would follow, and the ultimate outcome would be a disturbance throughout the kingdom. A clerk's expenses, which included pensions, procurations of prelates and the repair of churches and ornaments, amounted to more than a sixth of his revenues. If he could not, as was customary, deduct them in computing the tax, he could not live on what would be left. Many clerks, moreover, were burdened with other debts. The total demanded would be more money than could be found in Eng-

¹ Matthew Paris, *Chron. Maj.*, iv, 473, 590.

² Innocent IV to Henry III, 3 August 1245: *ibid.*, iv, 521, 522.

³ Above, pp. 214, 215.

land. Since a twentieth was 6,000 marks, a half would be 60,000 marks, and those exempted from the half who would pay a third or a twentieth would bring the sum to 80,000 marks. When King Richard was in captivity, the whole kingdom had been able to raise 60,000 marks for his ransom only by contributing the crosses and chalices of the churches to the common fund.¹

Though this protest purports to have been formulated by the proctors of the English church in behalf of the whole church for presentation to the pope,² it is manifestly more vigorous than truthful. Not only does it exaggerate the evil consequences of the projected taxation, but it displays a complete misunderstanding of the nature of the tax. In the early part of the document it is recognized that the half was to be taken only from absentees, but the computation at the end is based upon the assumption that it was to be paid by all clerks who did not pay a twentieth or a third. It is an excellent illustration of the extent of the grievance felt by the English clergy, but a singularly unreliable piece of reasoning.

Soon after this convocation, Henry III summoned the magnates, the archdeacons and the cathedral chapters to attend a council at London on 3 February 1247 for further consideration of these taxes.³ The bishops who had consented to the taxes at the general council of Lyons remained away. At the king's council it was decided to send to the pope and the cardinals in the name of the clergy and people of the province of Canterbury two letters of protest.⁴ In them complaint was made that the demand was impossible of fulfilment. 'Indeed,' it was said in one letter, 'even if all the goods which the clergy possesses should be offered, it would not be possible to find among us the money which is demanded.' The fiscal burdens which the English had borne since the last council of the Lateran were enumerated, and fault was found with the projected disposal of the proceeds. Part of them were to go to the Holy Land, part were to be placed at the disposal of the pope, and part of the levy for the

¹ Matthew Paris, *Chron. Maj.*, iv, 580-85. The annalist of Burton ascribed the document to a royal assembly, which was probably the one dated 3 February 1247 by Matthew: *Ann. de Burton*, pp. 278, 280-82.

² Matthew Paris, who is our only informant about this clerical council, does not specify clearly who were present: Lunt, 'Consent,' *Essays in Honor of George L. Burr*, p. 135, n. 97.

³ Matthew Paris, *Chron. Maj.*, iv, 590, 594; *Ann. de Burton*, p. 278; H.M.C., *Cal. of MSS. of Dean and Chapter of Wells*, I, 4. Both chroniclers call the assembly a parliament. Possibly the lower clergy also attended: Lunt, 'Consent,' *Essays in Honor of George L. Burr*, pp. 135, 136.

⁴ Matthew Paris, *Chron. Maj.*, iv, 594-97. The annalist of Burton associated with the royal assembly which debated the taxes decreed by the council of Lyons letters and a statement of grievances which Matthew Paris attributed to the great council held in the spring of 1246: *Ann. de Burton*, pp. 278-80, 283-85; *Chron. Maj.*, iv, 526-28, 531-34. The contents of the documents indicate that Matthew was correct.

empire was to be spent by the French, who were forever persecuting the English. Thus others were to receive abundance from England, while the poor of England starved. The letters were concluded with a plea for relief from such intolerable prospects. They were borne to the papal court by nuncios appointed for the purpose.

Innocent IV was moved by this petition no more than he had been by the English complaints presented in the two preceding years.¹ On 12 June 1247 he acknowledged receipt of a royal petition asking him to desist from the practice of provisions and from the exaction of the twentieth. Though he promised to exercise the right of provision with moderation, he refused to revoke the decree for the levy of the twentieth, because it had been enacted by a general council and the tax was being levied universally.² He did not mention the subvention for Constantinople, but the same argument applied to it.

Knowledge of the fate which befell these taxes cannot be advanced beyond the realm of probability. An attempt to collect the aid for Constantinople was undoubtedly begun. Master Marinus, a papal chaplain, whom Matthew Paris characterized as another Martin,³ was appointed on 29 December 1246 to collect the half in the British Isles from those who did not reside in their benefices six months during the year, but nothing was said in his commission about the third, the twentieth or the half of annates.⁴ On 30 May 1247 the pope answered a complaint of the English Templars that money had already been exacted from them for the subvention for Constantinople, despite their exemption.⁵ In 1262, moreover, Urban IV directed the collector in England to assemble the arrears of the subsidy for Constantinople which had been imposed by Innocent IV in the council of Lyons.⁶ This evidence, however, provides no proof that the attempt to collect the subsidy was actually carried to a conclusion. The most which may be asserted is a probability that some portion of the subsidy was levied, and a possibility that all of it was levied.

¹ Above, pp. 212-18.

² Rymer, *Foedera*, I, 266. The misplacement of the letter under 1246 has misled some modern historians: Lunt, *Valuation of Norwich*, p. 40, n. 7.

³ *Chron. Maj.*, IV, 601, 602.

⁴ Matthew said that the bishop of London was made the executor of the papal bulls ordering the levy of the taxes for Constantinople: *Chron. Maj.*, IV, 580. He probably was not the collector. In the summary of the bulls given by the annalist of Burton it appears that the bishop was authorized to absolve those who incurred excommunication for fraud: p. 278.

⁵ *Regs. d'Innocent IV*, 2777; *Cal. Pap. Regs. Letters*, I, 232. On 1 May the English benefices of the abbot and convent of St Mary de Gloria of Anagni were exempted, but the letter gives no evidence that any attempt had been made to collect the aid from them: *Regs. d'Innocent IV*, 2873; Potthast, *Reg.*, 12499.

⁶ Above, p. 229, n. 6.

With regard to the twentieth for the Holy Land, the balance of probability points the other way. The silence of English chroniclers about the twentieth after the early part of 1247 is far from conclusive, since they are equally silent in that period about the subsidy for Constantinople.¹ Nor does the lack of any papal commission of a collector of the twentieth in England have any greater significance. Such commissions are not generally found in the papal registers for countries where the tax is known to have been collected. But the complete silence of the registers concerning any aspect of the levy of the twentieth in England is striking,² since they contain many letters concerned with its administration elsewhere.³ There were, moreover, two factors which may well have delayed the collection of the twentieth. In 1247 and 1248 Innocent IV exacted from the English clergy a subsidy which was paid by most of them in the form of an income tax.⁴ The levy of the twentieth for the Holy Land concurrently would undoubtedly have caused difficulties in the collection of the papal subsidy.⁵ Henry III apparently desired to follow the example of Louis IX, who secured from Innocent IV, with the consent of the French clergy, the conversion of the French twentieth into a tenth to be paid to himself for a crusade. When Henry III began to entertain this intention is not known. The grant to Louis IX was made before 19 July 1246.⁶ Up to 12 June 1247 Henry III prevented the exaction of the twentieth in England, and he was seeking to have the pope rescind the decree ordering its imposition.⁷ Later in 1247 he began to plan for a national crusade, and, though he did not then intend to lead it, he asked the privilege of disbursing for the projected expedition the money arising in England from legacies to the Holy Land and commutations of the vows of crusaders. Before 6 March 1250, when Henry himself took the cross, he requested the pope to grant a triennial tenth. That the tenth was to take the place of the still uncollected twentieth cannot be asserted cate-

¹ See also Lunt, *Valuation of Norwich*, pp. 40, 41.

² In the correspondence of Innocent IV before 1250 I have found only two letters which mention the twentieth. On 10 October 1246 the bishop of Hereford was authorized to assign the twentieth of his diocese to himself. On 12 June 1247 the letter noted above was sent to the king: *Regs. d'Innocent IV*, 2238; Rymer, *Foedera*, I, 266. Both letters indicate the intention of the pope to have the twentieth levied, but no evidence indicates that the intention was ever carried out.

³ *Regs. d'Innocent IV*, 2018, 2022, 2032, 2033, 2053, 3055, 3057, 3058, 3065, 3376, 3383, 3384, 3432, 3438-40, 3450, 3451, 3459, 3468, 3488, 3545, 3551, 3719, 3755, 3979, 4120, 4166, 4238, 4292, and Berger's *Introd. to vol. II*, pp. cxli-cxliii.

⁴ Above, pp. 220-23.

⁵ The inference does not apply with equal force to the aid for Constantinople, since it fell only upon absentees and vacant benefices, while the twentieth for the Holy Land was nearly universal.

⁶ *Regs. d'Innocent IV*, 2032, 2033, 2053.

⁷ Rymer, *Foedera*, I, 266.

gorically, but it seems plausible. Certainly no evidence indicates that the twentieth had been levied before 1250.¹

5. TAXES ASSOCIATED WITH THE SICILIAN VENTURE

On 11 April 1250, Innocent IV, acting upon the petition of Henry III and at the request of the English prelates, granted to the king for the expenses of a crusade the tenth of the ecclesiastical revenues of the lands subject to his authority for a period of three years. He named the archbishop of Canterbury and the bishop of Hereford to deliver the proceeds to the king when he should be ready to begin the transmarine journey. The collection of the tenth was to be deferred, however, until the date of the expedition had been established under oath, and the collectors had been appointed. The latter condition was fulfilled on 30 April, when the pope commissioned the archbishops of Canterbury and York and the bishops of Hereford, Ely and Durham to begin the collection of the tenth two years before the date set for the crusade.² On 14 April 1252 Henry III promised to begin the expedition on 24 June 1256.³

Though the papal letters seem to have required no further action to make them become operative on 24 June 1254, and both letters imply that the English prelates had approved the tax in advance, Henry III, on 20 February 1251, sought the consent of the English prelates for the imposition of the tenth. Why he followed this course and how much real choice it gave the prelates are questions which can be answered only upon a speculative basis.⁴ Possibly the explanation would be supplied by the papal letter announcing the grant to the prelates, if it were extant. If it did not order them to pay the tenth, but ordered or requested them to grant the tenth, the king's action would be explained, but the extent of the prelates' freedom to withhold assent would still be left in obscurity. If they enjoyed any such right in the beginning, it was soon lost. On 16 February 1251 Innocent IV notified the archbishops and bishops that he had previously granted a tenth to the king to be collected for two years before the date of departure and commanded them to grant that it be

¹ Lunt, *Valuation of Norwich*, pp. 40-42, 53-57.

² Rymer, *Foedera*, I, 272, 274.

³ Rymer, *Foedera*, I, 282; *C.P.R. 1247-58*, p. 157.

⁴ Dehio suggests that the approval of the prelates given to the pope in advance either bound only the individuals concerned or was dependent upon the ratification of the lower clergy: *Innocenz IV*, pp. 47, 48. The second hypothesis seems to be disproved by the fact that the prelates of the province of Canterbury finally consented to the royal request without consulting the lower clergy: Lunt, 'Consent,' *Essays in Honor of George L. Burr*, pp. 138, 139.

collected instead for three years preceding that date.¹ Though the principal purpose of the mandate was to change the date for the commencement of the collection,² obedience to it would have committed the prelates to the concession of the tax. What the pope meant by the apparently paradoxical command to grant the change in date is made more fully apparent in a subsequent letter. On 12 September 1253, when he had reason to suppose that this mandate was still unheeded, he ordered the collectors of the tenth to compel by papal authority the archbishops, bishops and other prelates and ecclesiastical persons of England to grant to the king a triennial tenth to be levied forthwith.³ Manifestly the command to grant was intended to leave to the prelates no more real freedom of dissent than a command to pay.

Though the prelates finally assented to the royal request, they reached their decision only after long deliberations. When Henry III first broached the subject to a convocation of the province of Canterbury which met at Reading in 1251,⁴ the opposition was strong enough to cause postponement of the answer, and subsequently the papal mandate to advance the beginning of the tenth by a year caused further delay. The question was debated by the convocation of York and by the prelates of all England assembled at several great councils. Not until 4 May 1253 did the English prelates make the desired concession, and they then surrounded it with conditions. The king was to renew his promise to observe the great charter, the money was to be delivered to the king only when he should begin his journey, and it was to be expended upon the crusade under the oversight of the English nobles.⁵ Only the consent of some of the greater prelates was obtained, moreover, and part of the clergy opposed the grant.⁶

The collectors did not begin the work of collection until 4 July 1254, when they published their commission.⁷ It named the bishops of Norwich and Chichester and the abbot of Westminster as collectors, superseded-

¹ *Regs. d'Innocent IV*, 5106. The possibility that this was the first papal letter to the prelates on the subject seems to be eliminated by the date. Henry III first asked the clergy to grant the tenth before this letter could have reached England.

² The summary by Bliss implies that the pope was changing the duration of the tenth from two years to three: *Cal. Pap. Regs. Letters*, I, 267.

³ *Regs. d'Innocent IV*, 6989; Matthew Paris, *Additamenta*, p. 296.

⁴ Treharne, overlooking this assembly and another which took place before Michaelmas 1252, places the beginning of the royal negotiations for the grant of the tenth at Michaelmas 1252: *Baronial Plan*, p. 60.

⁵ On the possibility that this action was not final, but was supplemented at a meeting of the royal council on 26 April 1254, and for a more detailed account of the deliberations, see Lunt, *Valuation of Norwich*, pp. 59-63.

⁶ Muniments of Dean and Chapter of Durham, Locellus III, 38.

⁷ Matthew Paris, *Additamenta*, p. 296. The commission was dated 12 September 1253.

ing the earlier appointments.¹ The only instruction which it gave to the collectors with regard to their work was that they should deposit the money in safe places and deliver it to the king only when he should begin his journey to the Holy Land. Meanwhile no disbursements were to be made from the proceeds except on the special order of the pope. Apparently the new collectors were expected to follow the directions given in the commission of 30 April 1250 and in several supplementary letters to the original collectors,² who had been authorized to levy a tenth of ecclesiastical revenues for three years themselves or by means of others selected by them and to compel opponents by ecclesiastical censures. They had been told also to act with the advice of the king. Later the abbot and prior of Westminster had been ordered to issue sentence of excommunication against those who should commit fraud in paying the tenth or should keep back any of it, and the tenth had been more fully defined by a papal declaration that 'ecclesiastical income' included the revenues derived from manors. The Templars, the Hospitallers and the Cistercians, on the other hand, had been exempted from payment of the tenth.³

During May of 1254 the bishops of Norwich and Chichester and the abbot of Westminster had consulted with the king's council concerning their procedure. It was decided that the bishop of Norwich should take charge in the dioceses of Ely, Norwich, Lincoln, Coventry and Lichfield and London except the archdeaconry of Middlesex, the bishop of Chichester in the dioceses of Canterbury, Rochester, Chichester and Winchester and in the province of York, and the abbot of Westminster in the dioceses of Salisbury, Bath and Wells, Worcester, Exeter and Hereford, in the four Welsh dioceses and in the archdeaconry of Middlesex. The annual salaries to be paid from the yield of the tenth were fixed at 500 marks for the bishop of Norwich, 300 marks for the abbot of Westminster and 200 marks for the bishop of Chichester. The collectors secured the approval of the council for the methods of assessment which they proposed to adopt, and the council issued letters in the king's name ordering prelates, nobles, royal bailiffs and members of the Franciscan and Dominican orders to assist the collectors if occasion offered.⁴

For the levy of this tenth the collectors compiled a new assessment, which came to be known as the valuation of Norwich. The bishop after

¹ Made on 30 April 1250 and supplemented on 1 September 1252: below, p. 614; Rymer, *Foedera*, I, 285. The bishop of Chichester had been appointed collector of the tenth as early as 13 November 1252: Rymer, *Foedera*, I, 288; *C.P.R.* 1247-58, p. 164.

² Rymer, *Foedera*, I, 274, 285, 286; *Regs. d'Innocent IV*, 6400.

³ *Regs. d'Innocent IV*, 5131; *Ann. de Burton*, p. 325.

⁴ *C.P.R.* 1247-58, pp. 370, 377; *Close Rolls 1253-54*, p. 135; Prynne, *Records*, II, 814, 815; Matthew Paris, *Additamenta*, p. 298.

whom it was named and his two associates made the assessment in person only in occasional instances. Ordinarily they had the work done by groups of the local clergy whom they compelled to serve as assessors. The members of these local boards were required to take oath to make just estimates and to forward written copies of their findings to the collectors at specified dates. The collectors reviewed the returns, and if they discovered any suspicious items, they could examine the person suspected of fraud under oath, or hold an inquisition of his neighbors.

The local boards were of three types. In each cathedral the dean and three or four canons estimated the value of the revenues appropriated to the common use of the chapter and to the capitular offices. Some of these boards assessed also the prebends of the individual canons, but the practice does not appear to have been common. In each religious house the head or an obedientiary with three or four members of the convent appraised the income derived from the property of the house located within the same rural deanery as the house itself, excepting that which came from appropriated parish churches and separated tithes. In each rural deanery the dean, associated with three or four rectors and vicars, valued all other ecclesiastical revenues arising within the deanery. They surveyed not only the income of the incumbents of parishes but also revenues of any type received by monasteries situated outside the deanery from possessions within the deanery, revenues accruing to monasteries located within the deanery from appropriated churches and separated tithes, and usually the revenues within the deanery belonging to the canons of cathedral chapters.

The local assessors were given extensive responsibilities and powers. If they committed fraud, they were not only excommunicated *ipso facto*, but they also became liable for the penalties of perjury on account of their broken oaths. They were rewarded, on the other hand, with the privileges granted to those who aided the Holy Land. They could question rectors, vicars and such other persons as they chose, they could compel any taxpayer or witness to attest his statements under oath, and they could use excommunication and interdict against opponents. Their hands were further strengthened by a proclamation of the collectors which pronounced sentence of excommunication against all who should give other than just estimates of their incomes with necessary expenses deducted. They were instructed to assess all ecclesiastical revenues, and this phrase was interpreted to include temporalities, though baronies appear to have been omitted in practice.¹ No income was too small and no receiver of an income too poor to escape the attention of the assessors.

¹ *Ann. de Wigornia*, p. 443; *Gesta Abbatum*, I, 368.

Separated tithes, pensions and the revenues of poor hospitals were cited as examples of income not to be overlooked. The assessors were warned to make their own independent estimates and to disregard earlier valuations. Though not specifically stated in their instructions, they seem to have been expected to estimate the revenues at the farming values of the properties from which they were derived.

The work of the assessors did not satisfy the king and the pope, who desired to obtain from the tenth as large a yield as possible. On 9 October 1254 the king appointed the official of the archdeacon of Canterbury to ascertain the estimated value of the churches and ecclesiastical benefices throughout England, and a few days later royal writs ordered the annual value of the manors of monastic houses to be established by an inquisition conducted by the reeve and four men on each manor. This attempt to make an independent assessment seems to indicate doubt upon the part of the royal government concerning the efficiency of the work being done under the direction of the collectors. The doubt was probably justified. Comparison of many items of the valuation of Norwich with estimates made for other purposes and with later valuations indicates that the assessors in 1254 generally put their estimates at low figures. Furthermore, much of the clerical income from temporalities was not included in the assessment. The English clergy were loath to abide by the papal ruling that income from temporalities was ecclesiastical revenue, which probably represented a new practice in the levy of papal taxes in England, and they were successful in keeping much of their temporal income out of the assessment.

Whatever may have been the outcome of the royal attempt to make a separate valuation, it appears to have had no direct effect upon the assessment compiled under the direction of the collectors. If it was carried out, the evidence so obtained may have been used to influence the pope. Whether for this reason or another, Alexander IV, who was consecrated on 20 December 1254, soon came to the rescue. On 22 May 1255 he appointed the archbishop of Canterbury and Rostand, a papal nuncio, to supersede the three existing collectors. Rostand, who became practically the sole collector, arrived in England about Michaelmas, 1255, bearing papal instructions to introduce many changes in the administration of the tenth. Among the innovations was a new valuation which he ordered to be made soon after his arrival.

This valuation was never completed. Since it was designed to mark an increase over the preceding assessment, the procedure was much more stringent. Deputy collectors whom Rostand assigned to districts which included from one to four dioceses took charge of it, though the work in

each archdeaconry was to be directed by the archdeacon and the rural deans. They were given far more explicit instructions with regard to the nature of the revenues to be included, and the possessors of the income were required to testify under oath. The extent of the threatened attack upon their purses roused the clergy to a spirited protest. In a convocation assembled on 13 October 1255 the prelates in attendance opposed Rostand's whole program of reform, and further debate in a more representative assembly summoned for 18 January 1256 merely stiffened the resistance.¹ On the new assessment the collector gave way, accepting the valuation made by the bishop of Norwich and his colleagues with such individual revisions as might be necessitated by equity.² He made no concession, however, on the assessment of temporalities which had not yet been included. By renewed mandates and repeated threats of ecclesiastical censures he forced many prelates to assess their temporalities during the next two years, though he fell far short of bringing all of the temporal income of the English clergy within the scope of the valuation.³

A further difficulty was caused by the exemptions from the tenth. Rostand, acting under papal orders, gave to his deputies an instruction which cancelled the exemptions previously given to three orders. The Cistercians suffered no inconvenience, since their privilege was renewed by Alexander IV at an early date. The Templars and the Hospitallers were less fortunate. They appear to have received no immediate help from Alexander IV,⁴ and it was not until 4 August 1256 that the king ordered a stay of the exaction of the tenth from them. Though the respite seems to have been intended as a temporary measure, the two orders appear to have avoided payment of the tenth entirely. One new exemption was granted by Rostand. Early in 1256, as part of his attempt to allay the antagonism of the English clergy, he relieved from immediate liability for the tenth the inmates of hospitals and lazar houses and the communities of nuns who, possessing no churches or tithes, depended for their living upon casual alms and their own labor. His action was later confirmed by the king, and seems to have acquired permanent validity.

The valuation of Norwich put the annual value of English clerical income in the neighborhood of £102,000. It probably represented an in-

¹ On these assemblies see below, pp. 269-71, and Lunt, 'Consent,' *Essays in Honor of George L. Burr*, pp. 144-47.

² Treharne implies that the new valuation was made: *Baronial Plan*, p. 60.

³ Graham and Treharne imply that the baronies were omitted: *E.H.R.*, XLII, 422; *Baronial Plan*, p. 60. Many of them were omitted, but not all: below, pp. 273, 280-82, 286, 287, 290; Lunt, *Valuation of Norwich*, pp. 87, 88; Cambridge University Library, MS. M m iv 19, fol. 33v.

⁴ On 6 February 1262, Urban IV, when he granted the Templars a general exemption from all exactions, professed to be following the example of Alexander IV: *Regs. d'Urbain IV*, iv, 2885.

crease of rather more than twenty-five per cent over the valuation of 1217, which had been commonly used as the basis of previous levies of income taxes. It was, nevertheless, a low appraisal.¹

The machinery established for the collection of the tenth by the bishops of Norwich and Chichester and the abbot of Westminster appears only in dim outline in the available sources. They seem to have appointed no deputy collectors. The assessors in each rural deanery were made responsible for collecting the tenth from the taxpayers whose revenues they assessed,² and each religious community and cathedral chapter was expected to pay the tenth of its own assessment either to the agent of the collector sent to receive a copy of the assessment³ or to the archdeacon of the locality where the property was located.⁴ Among the agents whom the two bishops employed for this purpose were clerks of their own households.⁵ The money received was deposited in churches⁶ and kept there. The king endeavored to secure some of the proceeds by the issue of writs of assignment drawn on the collectors in favor of his creditors, but the amount of the assignments was small, and in one instance, at least, the

¹ This account of the valuation is based on the more extensive treatment of the subject in my *Valuation of Norwich*, pp. 64-167. For additional light on the distinction between temporalities and spiritualities see Kimball, 'Judicial Aspects of Frank Almoign Tenure,' *E.H.R.*, XLVII, 6-11; on the low rate of the assessment see *Chart. of Sele*, p. 101. I venture to think that Miss Graham's criticisms of my earlier detailed treatment do not impair its value seriously: *E.H.R.*, XLII, 421-24. Many of her criticisms consist of rather categorical denials of deductions which I professed to offer as no more than balances of probability. Any reader who is interested can easily determine whether she produces enough evidence to overthrow any of the deductions which she attacks. Her challenge of my conclusion, that a significant part of the increase of the valuation of 1291 over that of Norwich was due to the inclusion in the later valuation of temporalities omitted in the earlier, deserves more attention because the evidence advanced for its support, if it is not specious, weakens this balance of probability. She contends that the copies of the valuation which I edited are the assessments made by the rural deans and their associates. They did not contain the bulk of the temporalities, which is to be found in the separate returns made by each monastic community of its temporal property within the deanery where it was situated. The argument not only ignores the temporalities of religious houses located outside the deanery in which the house stood and the evidence which indicates that some temporalities were never assessed (*Valuation of Norwich*, pp. 80, 88, 96-100), but it rests upon a false assumption. Some assessments of monastic temporalities situated in the same deaneries as the monasteries are given in the general portions of the valuation which I edited, and the portions which Miss Graham designates as separate monastic returns contain some items duplicated in the general portions. She exaggerates the extent of the omission of temporalities from existing copies of the valuation by citing total values for portions of the diocese of Norwich taken from Mr. Hudson's earlier edition of the valuation for that diocese. Had she taken the figures from the edition which she was reviewing, the total of the temporalities included would have been increased, because that edition, being based on more and better manuscripts, contains more items that can be classified definitely as temporalities.

² Letters of Rostand: *Ann. de Burton*, pp. 355, 357.

³ *Ann. de Burton*, pp. 326, 327; Lunt, *Valuation of Norwich*, p. 493.

⁴ *Chart. of Sele*, p. 99.

⁵ *Ibid.*; Lunt, *Valuation of Norwich*, p. 493.

⁶ *Ann. de Burton*, pp. 327, 355, 358.

bishop of Norwich disregarded the royal writ.¹ The king apparently failed to break down the papal prohibition on his use of the proceeds before the beginning of the crusade.

The tenth due for the first year came in slowly. It was paid in three annual instalments,² and the exchequer hoped that the sum due for the first year might be assembled by Michaelmas, 1254.³ The tenth could not be collected, however, until the assessment had been made. Though the work of valuation began as early as 11 July 1254,⁴ it was not completed until 1255. On 11 November 1254 the bishop of Norwich issued his mandate for the assessment of the revenues of the canons of Ashby, which was to be returned to his nuncio at Northampton on 14 December.⁵ The chapter of St Paul's assessed their income after 10 February 1255,⁶ and the prior and monks of Sele did not pay their first instalment until 29 August 1255.⁷ Even at that late date many temporalities had not yet been assessed.⁸ The payments for the first year appear generally to have been rendered when the assessments were made,⁹ but in the autumn of 1255, when Rostand took over the administration, some of the taxpayers were still in arrear for the first payment, and some of the local receivers had not yet made delivery to the principal collectors.¹⁰ A few payments for the second year were rendered while the three English prelates were still in office,¹¹ but the second instalment was not generally paid until the dates set by Rostand early in 1256.¹² The administration of the tenth by the bishop of Norwich and his colleagues was lax and inefficient. The reasons are not far to seek. Many of the clergy were still unreconciled to the impost,¹³ and the bishop of Norwich acknowledged quite openly that his sympathies were with the clergy and not with the pope or the king.¹⁴

It was to remedy this defect that the collectors were changed in 1255. Rostand was a Gascon in the papal service. He had nothing in common with the English clergy, and he could best promote his own interests by

¹ *Close Rolls, 1253-54*, p. 69; *C.P.R. 1247-58*, p. 358.

² *Ann. de Burton*, pp. 327, 364; *Ann. de Dunstaplia*, p. 196; Lunt, *Valuation of Norwich*, p. 493; *Chart. of Sele*, p. 99.

³ *Close Rolls, 1253-54*, p. 135.

⁴ *Gesta Abbatum*, I, 368; Matthew Paris, *Chron. Maj.*, v, 451.

⁵ Egerton MS. 3033, fol. 7^v, no. 27.

⁶ Lunt, *Valuation of Norwich*, p. 493.

⁷ *Chart. of Sele*, p. 99.

⁸ Above, p. 260.

⁹ *Ann. de Burton*, p. 327; Lunt, *Valuation of Norwich*, p. 493.

¹⁰ *Ann. de Burton*, pp. 357, 358; *Ann. de Dunstaplia*, p. 196.

¹¹ Lunt, *Valuation of Norwich*, p. 493.

¹² *Ann. de Burton*, pp. 354-59; *Ann. de Dunstaplia*, p. 196; *Chart. of Sele*, p. 99.

¹³ Protests of the clergy early in 1256: *Ann. de Burton*, pp. 360-63.

¹⁴ *Gesta Abbatum*, I, 368, 369.

serving the pope well as nuncio and collector. After his arrival in England, he soon became a royal favorite, and that side of his bread also could best be buttered by subjecting the English clergy to the screws of the compulsory powers conferred upon him as collector.¹ The desires of both pope and king to hasten the collection of the tenth were the more keen because the purpose for which the proceeds were to be spent had recently been altered. On 15 May 1255 Alexander IV authorized Henry III to use the money appropriated in England to the crusade for the purpose of obtaining the crown of Sicily for his son Edmund.² The fiscal demands of this project were much more pressing than those of the crusade had been, and a speedy mobilization of all financial resources became imperative.

The financial exigencies which developed in connection with the Sicilian project in 1255 had been brewing for several years. In 1245, when Innocent IV declared Frederick II deposed, he claimed the kingdom of Sicily by right of escheat.³ For several years the contest with the Hohenstaufen developed favorably for his claim, but in 1251 the tide began to turn.⁴ Faced with an opposition in Sicily so strong and so successful that it rendered the subjugation of the island remote and even threatened his political situation in Italy, the pope sought to obtain the alliance of a royal house which would help him to conquer Sicily in return for the investiture of some cadet of the house with the kingdom as a fief.⁵ In 1252 he offered the crown to Richard of Cornwall and Charles of Anjou simultaneously.⁶ The negotiations with the earl of Cornwall were conducted by Albert of Parma, a papal notary who arrived in England in November. The earl demanded in return for his help in the conquest of Sicily the financial assistance of the papacy and the surrender to him of certain papal strongholds on the frontier. He said to the nuncio, as Matthew Paris recorded the conversation: 'If you do not do so, it is the same as saying: "I will sell or give you the moon; climb up and take it."'⁷ Without these aids, he was unwilling to accept the gift, even though his brother, Henry III, was prepared to allow the pope to exact a subsidy from the English clergy in furtherance of the project.⁸ Since Innocent wanted to receive financial

¹ Lunt, *Valuation of Norwich*, p. 84.

² Papalletter: *Ann. de Burton*, p. 351.

³ Matthew Paris, *Chron. Maj.*, iv, 454, 455; Berger, *Introd. to Regs. d'Innocent IV*, II, p. cclxxvii; Gasquet, *Henry III*, p. 347.

⁴ Nicholas de Curbio, *Vita*, pp. 592 ε-λ; Rocquain, *La Cour de Rome*, II, 103-29.

⁵ Nicholas de Curbio, *Vita*, pp. 592 κ, λ; Berger, *Introd. to Regs. d'Innocent IV*, II, p. cclxxvii; Gasquet, *Henry III*, p. 347.

⁶ Rymer, *Foedera*, I, 284; Muratori, *Antiquitates*, VI, 104; *Layettes du Tresor des Chartes*, III, 4020.

⁷ *Chron. Maj.*, v, 457.

⁸ King to pope, 28 January 1253: *Close Rolls, 1251-53*, p. 449.

aid rather than to give it, he dropped negotiations with Richard of Cornwall and turned to Charles of Anjou. Albert of Parma was again the papal ambassador, receiving on this occasion the office of legate in France, Provence and Gascony. After conversations which ran through the summer of 1253, the brother of Louis IX declined the gift under the conditions which were attached to it.¹ Finally, the legate approached Henry III, who was in Gascony, with the offer of the crown to his younger son, Edmund. He found the English king ready to reach for the moon, and on 6 March 1254, acting in behalf of the pope, he granted the kingdom of Sicily to Edmund to be held in fee of the Roman church, with the provision that the terms of the grant should be determined later by royal and papal representatives who were named in the charter. On 14 May 1254 Innocent IV ratified the action of his legate.²

Pending these further negotiations, pope and king took several steps designed to promote the assistance by Henry III of the papal cause against Sicily. On the same day that the pope ratified the grant, he wrote to the archbishop of Canterbury and the bishop of Chichester authorizing them, at the requisition of Henry, to borrow money for the Sicilian project from those willing to lend it and to pledge for its repayment suitable English churches as if the money had been borrowed for the utility of the churches. Prelates or clergy who opposed such pledges were to be suspended from their offices and benefices and summoned to appear before the pope.³ The apparent purpose was to force the wealthier English clergy to contribute to the cost of winning the Sicilian crown for Edmund such sums as might be designated by the archbishop and bishop in consultation with the king. Once the goods of a monastic or cathedral church had been pledged with papal consent for the utility of the church, the church would become liable for the repayment of the loan and subject to an exceptionally stringent procedure, enforced by papal agents and ecclesiastical courts in behalf of the creditors, for its recovery.⁴ The letter made no mention of any reimbursement of the sureties. Before putting the plan into operation, Henry consulted a group of prelates who attended a council held at London. They opposed the project so strongly that it was given up, but Peter of Aigueblanche, the Savoyard bishop of Hereford, finally devised a modification of the plan which made possible its execution in the time of Alexander IV.⁵

¹ Berger, *Introd. to Regs. d'Innocent IV*, II, pp. cclxxix-cclxxxiv.

² Rymer, *Foedera*, I, 297, 301; Nicholas de Curbio, *Vita*, p. 592 A.

³ Rymer, *Foedera*, I, 301; Johnson, 'Keeper,' *Essays presented to T. F. Tout*, p. 137.

⁴ On the procedure see Lunt, *Papal Revenues*, I, 55, 56.

⁵ *Gesta Abbatum*, I, 373-83; *Ann. de Oseneia*, p. 109. Neither chronicler mentioned specifically the plan of Innocent IV, but both spoke of Henry's unsuccessful attempt to obtain loans from the prel-

A few days later Innocent IV offered to advance to Henry's agents a loan of 50,000 pounds of Tours, and, if his finances would permit, to follow it with another of the same amount, provided Henry would send an army against the Sicilians immediately.¹ No troops were sent, and the loan was never made.² On 31 May 1254 Innocent, in answer to Henry's petition to have his vow of a crusade changed to a vow to aid the Roman church in Sicily, expressed his opinion that the commutation would be inexpedient, but consented to grant it if Henry insisted upon it.³ Had the commutation been effected, it might have enabled the king to convert the money collected in England for a crusade to the expenses of the Sicilian project,⁴ but nothing indicates that Innocent IV either commuted the vow or authorized the diversion of the crusading funds to the Sicilian venture.⁵ Innocent IV was loath to sacrifice the crusade to his interests in Sicily.

Alexander IV was restrained by no such scruples, and it fell to him to formulate the conditions of the grant of Sicily and to make arrangements to help Henry III meet the financial obligation which he assumed as part of the terms. The bishop of Hereford, who acted as Henry's chief representative in the negotiation of the conditions,⁶ was not commissioned as the royal envoy until 9 October 1254,⁷ and two months later Innocent IV died. Thus it came about that the negotiations were concluded by Alexander IV, who announced the results in a series of letters issued from March to May 1255.

The many conditions which Henry III had to fulfil in behalf of Edmund

ates for the Sicilian affair, and ascribed to the bishop of Hereford the device by which the prelate were forced to make loans willy-nilly. The writer of the *Gesta* does not mention a council, and the annalist of Osney puts it before the king's departure for Gascony. Since Henry did not receive Sicily until he went to Gascony, the chronology must be wrong.

¹ Rymer, *Foedera*, I, 303; Johnson, 'Keeper,' *Essays Presented to T. F. Tout*, p. 137.

² Rymer, *Foedera*, I, 317.

³ *Ibid.*, I, 304; Potthast, *Reg.*, 15416. This interpretation of the letter runs counter to one commonly accepted, which I previously thought to be correct: Rodenberg, *Innocenz IV*, p. 168; Treharne, *Baronial Plan*, p. 60; Stubbs, *Constitutional History*, II, 71; Lunt, *Valuation of Norwich*, p. 82. That Henry did not insist upon it is indicated by the omission of this bull from the list of bulls dealing with the Sicilian business compiled by his keeper of papal bulls: Johnson, 'Keeper,' *Essays to T. F. Tout*, pp. 136, 137.

⁴ The effect of the later commutation was so interpreted by a royal official: Johnson, 'Keeper,' *Essays to T. F. Tout*, p. 137. The papal bulls there listed are concerned with the tenth and other revenues granted for Sicily. The editor assigns to the document the date of the endorsement, which is 1269. He informs me, however, that the endorsement is in a different hand from that of the recto. A more probable date would seem to me to be 1261-63, when Henry was attempting to revive his claim to the Sicilian crown and to the revenues associated therewith.

⁵ Gasquet asserts to the contrary, but the document which he cites does not support the assertion: *Henry III*, p. 352.

⁶ Rymer, *Foedera*, I, 316-18.

⁷ *Rôles Gascons*, I, 4187.

were stated in a bull of 9 April.¹ His principal financial obligation was to pay the papacy 135,541 marks which it had previously spent on the Sicilian affair, and for a large part of which it was in debt to Italian merchants, and any expenses and interest which might accrue in connection therewith. Ten thousand marks were due the next Christmas, and the remainder on Michaelmas, 1256, with the privilege of delaying payment of 10,000 marks of this balance for a further three months. Within the same period he was to send troops to Sicily. Failure to meet these obligations on time would entitle the apostolic see to cancel the contract, without liability to return what had been paid, and would subject the king to excommunication and his kingdom to interdict. After saddling Henry with this burden, which represented nearly as much as a tenth levied on the valuation of Norwich would yield in nine years, Alexander complacently put his power at the royal disposal for the purpose of forcing the English clergy to help their king meet his indebtedness. He renewed the grant of the tenth not only for the original three years but also for an additional two years² which his predecessor had conceded on 23 May 1254,³ allowed the king to commute his oath from the Holy Land to Sicily,⁴ and authorized him to use the funds originally dedicated to a crusade to meet his liabilities under the Sicilian contract.⁵

Alexander IV also made effective the abortive project of Innocent IV to force English prelates to lend to the king a large sum for immediate application to the debt owed to the papacy. English monastic writers whose houses were affected attributed the origination of the plan to the bishop of Hereford, 'whose memory,' said a chronicler of St Albans, 'exhales a sulphurous odor.'⁶ They all agreed that he represented himself falsely as the proctor of the English prelates and utilized his assumed authority to pledge many religious communities to repay to Italian merchants loans which they not only had not received but to which they had not consented and of which they knew nothing.⁷ Three of them asserted

¹ Rymer, *Foedera*, I, 316-18; Cotton MS. Cleop. E I, fol. 181.

² *Cal. Pap. Regs. Letters*, I, 314.

³ Rymer, *Foedera*, I, 303.

⁴ *Ibid.*, I, 319.

⁵ *Ann. de Burton*, p. 351; Johnson, 'Keeper,' *Essays to T. F. Tout*, p. 137.

⁶ *Gesta Abbatum*, I, 379. This action of the bishop rendered him extremely unpopular. When the baronial council came to power in 1258, one of its early acts was to require the bishop to account for these loans. During the disorder of 1263 a group of barons attacked him and put him in prison. After his release he went into exile, but in 1265 he was ordered to return and answer charges connected with the loans on pain of confiscation of his temporalities: *Close Rolls, 1256-59*, pp. 465, 466; Pryne, *Records*, II, 958, 959; *C.P.R. 1258-66*, pp. 426, 429; Wykes, *Chron.*, pp. 134, 135.

⁷ *Ann. de Dunstaplia*, p. 199; *Ann. de Oseneia*, pp. 109, 110; *Gesta Abbatum*, I, 379-81; Florence of Worcester, *Cont.*, p. 185; Matthew Paris, *Chron. Maj.*, v, 510-13; *Ann. de Burton*, p. 361; Gervase of Canterbury, *Cont.*, p. 205; *Cart. de Rameseia*, III, 183. The prior and convent of Durham appealed to the pope against the loan imposed upon them 'fraudulently' by a 'false proctor': Muniments of Dean and Chapter of Durham, Misc. Charter 5712, mem. 2 recto.

that the bishop obtained the consent of three or four English prelates by fraud or pressure before he left for the Roman court, and the annalist of Osney related in detail how it was done. After the English prelates in council refused assent to the plan when it was first broached to them by Henry III in the time of Innocent IV, the king, on the advice of the bishop of Hereford, sealed a closed blank schedule, produced it before friendly prelates when they came later to a council at Reading, and asked them to affix their seals to the document. The bishop of Durham and a few others complied with the request, and the bishop of Hereford then wrote himself a procuratorial commission on the blank schedule. Though this story may be more creditable to the writer's imagination than to his historical accuracy,¹ the Savoyard bishop unquestionably acted as the proctor of many English monasteries without their sanction but with the connivance of pope and king.

Once the pope had acknowledged the procuratorial capacity of the bishop, the process of borrowing money followed the routine procedure customary in such instances.² The pope first issued to the bishop a license to borrow in order to meet expenses undertaken for the utility of a specified abbot and convent a stated sum. The amount varied from 75 to 700 marks in different licenses,³ depending upon the reputed wealth of the monastic house in question. In return for the loan he could oblige the property of the monastery to the creditors for its repayment on a specified date, along with damages, expenses and interest. He was also empowered to contract the borrower out of specified protections and actions accorded to him by canon or civil law, to renounce in his behalf any protection given to him by apostolic privileges, and to free the creditor from the necessity of proving that the money had been used for the advantage of the abbot and convent and their monastery.⁴ Fortified with this license the bishop borrowed the sum from merchants of Siena or Florence and ratified a bond committing the abbot and convent to its repayment with interest at a specified date in 1256.⁵ The money thus obtained was delivered to the pope in part payment of the royal debt of 135,541 marks.

¹ The issue of sealed blank schedules to a royal ambassador negotiating at the papal court concerning the Sicilian affair is not improbable: *C.P.R.* 1247-58, p. 567. It seems less probable that the affixation of the prelates seals was obtained by fraud, and the chronology of the story is also difficult.

² For illustrative documents see Lunt, *Papal Revenues*, I, 329-36.

³ *C.P.R.* 1247-58, pp. 515-17; Muniments of Dean and Chapter of Durham 4. I. 10 Papalium.

⁴ For examples of the licenses see Matthew Paris, *Chron. Maj.*, v, 523, 524; *Gesta Abbatum*, I, 382; *Cart. de Rameseia*, I, 68.

⁵ The only dates which I have discovered were 26 April and 1 May 1256, but several others paid during the first half of 1256. Sentences for failure to pay were not generally issued until the autumn of 1256: Matthew Paris, *Addimenta*, pp. 305-11, 315; *Ann. de Oseneia*, pp. 111, 112; *Gesta Abbatum*, I, 384; *Cal. Pap. Regs. Letters*, I, 341; Muniments of Dean and Chapter of Durham, Locellus III, 20.

The transaction netted the pope approximately 30,000 marks, but the amount for which the English prelates became liable ran to another 5,000 marks or more in damages and interest.¹ The prior and convent of Durham were required to pay for damages and interest on any sum which remained unpaid at the date on which it was due one mark every two months for every ten marks owed. They also had to pay the expenses of one merchant with one servant and one horse until the arrears were met.²

When a loan had been completed, the pope issued an executory letter addressed to two clerks, informing them of the terms of the loan and ordering them to excommunicate the monks and place an interdict upon their church, if the principal with reasonable damages and interest should not be paid on time. If these penalties should fail to produce payment within two months, they were to declare the abbot suspended from the administration of spiritualities and temporalities and to cite him to appear in person and the convent by proctors before the pope. The letter denied to the debtors the protection of any privileges which might interfere with the operation of this procedure, citing specifically the privilege which protected Englishmen from being drawn outside England for judgment.³ The complaint of an English chronicler that the executors were foreigners who would summon the debtors abroad to answer for failure to meet the terms of the bond⁴ is substantiated by the extant copies of the executory letters. The abbot and convent of Waltham, for example, were cited to appear before the official of Troyes at Troyes, if they wished to offer any reason why the executory process should not be enforced against them.⁵

A further papal letter issued in connection with each loan notified the monastic community of its liability and authorized it to recover the amount of the loan from the payments which it owed for the five years of the tenth, provided the king did not reimburse it otherwise.⁶ A borrower who found its tenth insufficient to cover the loan subsequently obtained permission from the pope or Rostand to recover the balance from the tenth paid by its cells or by the secular clergy.⁷ The loans were thus in-

¹ *Close Rolls*, 1254-56, p. 408.

² Muniments of Dean and Chapter of Durham, Locellus III, 20, 25.

³ Letters dated 28 April, 4 and 21 May and 2 August 1255: Matthew Paris, *Additamenta*, pp. 305-11; *Cart. de Rameseia*, I, 69; *Ann. de Oseneia*, p. 107; Muniments of Dean and Chapter of Durham, Locellus III, 7, 14.

⁴ *Ann. de Dunstaplia*, p. 199.

⁵ Matthew Paris, *Additamenta*, pp. 307-11.

⁶ *Cart. of St Frideswide*, I, 60; *Cart. de Rameseia*, I, 110; Bodleian Library, MS. Ch. Oxon., vol. a 9, no. 94; Royal MS. 17 B XII, fol. 52; Muniments of Dean and Chapter of Durham, Misc. Charter 5057; Locellus III, 25. One letter is dated 14 May 1255.

⁷ *Gesta Abbatum*, I, 353; Matthew Paris, *Additamenta*, pp. 316, 317, 323, 324, 350, 382; *Cal. Pap. Regs. Letters*, I, 341; Lunt, *Valuation of Norwich*, p. 524.

tended to be repaid eventually from the proceeds of the tenth, and the whole process was an elaborate means of anticipating the payments of the tenth.¹ Possibly it also forced some of the religious who had opposed the taxation of their temporalities to pay the tenth thereon. The burden placed upon the monasteries was certainly a heavy one, since they had to make in 1256 payments which in the normal course of events would have been extended over the next two or three years.

The news of these transactions do not appear to have been published in England until the autumn of 1255. The papal letters were probably brought by Rostand, who arrived in England accompanied by the bishop of Hereford and James, bishop of Bologna, who was the papal emissary charged with investing Edmund with the kingdom of Sicily.² The announcement was made by the king at a meeting of the great council which began on 13 October, and by Rostand at an ecclesiastical council which assembled on the same day.³ Five days later, in the presence of the magnates, the investiture of Edmund was performed, and Henry III took oath to fulfil the conditions prescribed in the papal letter.⁴ When the extent of the financial obligation to which the king had pledged himself in the pursuit of this visionary scheme became known, it caused consternation in both assemblies. The magnates, who had not been consulted by the king before he committed himself to the project, declined to give any financial assistance.⁵ The prelates in convocation could not so simply negative the papal commands and Rostand's orders based upon them, but, under the leadership of the bishops of London and Worcester, who preferred death to submission and let their preference be known, such strenuous opposition was engendered that further consideration of the papal fiscal demands was postponed to a convocation appointed for 18 January 1256.⁶

¹ This is placed beyond doubt by the numerous acquittances for the tenth issued to monastic communities by the king in return for the payments of the loans which they made to the Italian merchants: *C.P.R.* 1247-58, pp. 515-17. The valuation made by the monks of Bury in connection with the obligation contracted for them by the bishop of Hereford was consequently a valuation for the tenth and constituted part of the valuation of Norwich, despite Miss Graham's assertion to the contrary: *E.H.R.*, XLII, 422, 423.

² *Ann. de Burton*, pp. 348-50; *Ann. de Dunstaplia*, p. 196.

³ Matthew Paris, *Chron. Maj.*, v, 520, 524.

⁴ Matthew Paris, *Chron. Maj.*, v, 515; *Ann. de Burton*, p. 349. On the same day the king ordered a formal letter of acceptance to be written in Edmund's name and sent to the pope: Rymers, *Foedera*, I, 331. The original, dated 6 November, and sealed with the seals of John Mansel and others of the king's advisers, is AA. Arm. I-XVIII, no. 587. Henry also sent an acceptance in his own name: *Inst. Misc.* 80.

⁵ Matthew Paris, *Chron. Maj.*, v, 520, 521, 529, 530; *Close Rolls*, 1254-56, p. 406.

⁶ Matthew Paris, *Chron. Maj.*, v, 524-27, 532; *idem*, *Addimenta*, pp. 314, 315; *Ann. de Burton*, p. 360.

During the interval the clergy generally were acquainted with what was toward. Rostand caused his commission and his own commands to be published in the various dioceses, and he also appointed local deputies who issued orders to the archdeacons for the new assessment and for the payment of the tenth.¹ The bishops ordered their archdeacons to hold assemblies of their clergy for the purpose of electing and instructing three or four proctors to represent the parochial clergy at the forthcoming convocation.² The consequence was a resounding 'murmur' and a 'tearful tumult' among the clergy.³ It gave rise to the popular lament of a clerical poet that 'the king and the pope think only of how they can take from the clergy their gold and their silver.'⁴ It found expression also in a series of cahiers of grievances drawn up in every diocese by the proctors of the local clergy for dispatch to the pope.⁵ Those prepared by the proctors of the archdeaconry of Lincoln and the diocese of Lichfield supply more specific information of the causes of the clerical opposition.⁶ They regarded the obligation undertaken by Henry III in return for the Sicilian crown as one in which 'the royal simplicity' had been circumvented 'at the suggestion of certain robbers,' and they objected to the intolerable burden thus placed upon the clergy and people of England. It was unjust, they contended, for a tenth to be levied without their consent, but the tenth, at least, had been extorted for a pious cause, which was now being changed for a cause that was not pious. They complained of a new assessment being made every year, of the oath with which they were required to attest the value of their revenues, of the minute portions of their incomes which were included, and of the taxation of the poorest benefices. In behalf of the regular clergy they protested against the taxation of temporalities and against the loans contracted for them without their authorization by the bishop of Hereford.

Since this was the attitude of the representatives of the lower clergy when they assembled at the New Temple with the prelates on 18 January,⁷ Rostand had no better success with this convocation than with the first. When he asserted in his exasperation that all churches belonged to the pope, he received the reply: 'That is true with regard to their protection, but not with regard to the appropriation of their fruits. When we

¹ *Ann. de Burton*, pp. 350-60; Matthew Paris, *Additamenta*, pp. 312-14.

² Matthew Paris, *Additamenta*, pp. 314, 315.

³ *Ann. de Burton*, p. 360.

⁴ Wright, *Political Songs*, p. 43.

⁵ For evidence that the cahiers belong here chronologically see Lunt, 'Consent,' *Essays in Honor of George L. Burr*, pp. 145-47.

⁶ *Ann. de Burton*, pp. 360-63.

⁷ The date in the writ of summons; elsewhere Matthew gave it as 13 January: *Additamenta*, p. 315; *Chron. Maj.*, v, 539.

say all belongs to the prince, it is said of protection and not of destruction.' The opposition remained firm, and since Rostand could not have altered the papal mandates, had he been disposed to do so, it was decided to appeal to the pope on behalf of the community of the English church. The dean of St Paul's was accordingly sent to Rome at the head of a delegation which bore the cahiers of grievances formulated by the proctors of the diocesan clergy.¹ The embassy accomplished nothing at the papal court,² but Rostand gave up the project of a new assessment, granted exemption to poor hospitals and nunneries, and ordered his deputies not to exact anything from religious houses for their expenses.³ With these slight concessions the English clergy had perforce to rest content. The prelates continued their opposition to the taxation of temporalities with some measure of success,⁴ but otherwise the tenth had to be paid.

Opposition of the religious to payment of the loans contracted by the bishop of Hereford likewise proved fruitless. The monks of Durham carried the contest to the point of appealing to the pope and cardinals, with the threat of further appeal to a general council, if they should fail to obtain satisfaction.⁵ Though professing themselves obedient to the apostolic see, they refused consent to 'the intolerable and impossible' spoliation of their churches and dissipation of their goods, and opposed the introduction 'of the vilest servitude into the church of Christ.' They declared themselves ready to pay the tenth granted to the king by certain of the major prelates, but protested that they were not bound to honor the loan contracted for them fraudulently by the bishop of Hereford without their authorization. Despite the strong language of their appeal, the monks were not too confident of its success. They instructed their proctors to offer payment of £100 a year until the obligation had been discharged in place of 500 marks in two years, and to seek compensation from the pope in the form of various privileges, if they could do no better.⁶ Their representatives obtained several of the desired favors⁷ and

¹ Matthew Paris, *Chron. Maj.*, v, 539-44; *Ann. de Burton*, p. 363.

² Matthew Paris represented that the papal letters authorizing the monastic communities to recover from their tenths the sums paid to Italian merchants for their loans resulted from the work of this embassy: *Chron. Maj.*, v, 558. The letter of this type cited by him is dated 15 May 1255, and other letters of the same type were all issued long before the embassy was appointed.

³ By letter of 29 January 1256: *Ann. de Burton*, pp. 363, 364.

⁴ Lunt, *Valuation of Norwich*, pp. 80, 87, 88; below, pp. 280-82, 286, 287, 290.

⁵ The executory letters of the archdeacon of Paris, ordering them to pay the loan under penalty of excommunication and interdict as well as of payment of damages, interest and expenses, which gave them the first notification of their liability, were dated 27 March, 1256. Their appeal, which took two forms, was dated 22 May 1256. Their procuratory letters were issued on 3 June: *Muniments of Dean and Chapter of Durham*, Locellus III, 14, 38; Misc. Charter 5712, m. 2.

⁶ *Ibid.*, Locellus III, 38.

⁷ *Ibid.*, *Magnum Repertorium*, entries under 4.I.20-24 Papalium.

some adjustments in the terms of the loan. Alexander acknowledged in a bull that they had been charged with one loan of 500 marks and another of 300 marks by error, and revoked the latter obligation.¹ The former was left in force, but the damages, expenses and interest were compounded for the sum of 105 marks, making a total of 605 marks, which the chapter necessarily agreed to pay.²

The only completely successful resistance was that offered by the Cistercians. On 14 May 1256 Rostand convoked their abbots at Reading and asked for a contribution of £25,000 to the work of pope and king. Relying upon an exemption from the tenth granted by Alexander IV the year before, they denied the request.³ Nor did they change their attitude on 6 January 1257, when the king placed before them a similar plea, though he accompanied it with the threat of his displeasure should they fail to acquiesce.⁴

While these events were taking place, the collection of the tenth was going forward. Rostand appointed deputy collectors in the autumn of 1255, conferring upon them the right to exercise the powers given to him by the pope.⁵ As a rule, he deputed two of the local clergy to act jointly in one diocese or a group of contiguous dioceses. The deputies included abbots, priors, canons and rectors. Among them were foreigners beneficed in England and king's clerks.⁶ Their appointment established a more centralized administrative organization than had previously existed. The deputies, soon after receipt of their commissions, sent letters to the archdeacons of their collectorates with orders to make their contents known to the individual taxpayers by agency of the rural deans.⁷ All secular and regular taxpayers in each rural deanery were warned to deliver to the deputy collectors on a day and at a place named in the citation the tenth for the past year and any arrears owed for the tenth of the preceding year. The date was set at some day early in 1256.⁸ Failure to pay on time would be followed by excommunication and sequestration of fruits. Those who paid in full, on the other hand, would be rewarded with the indulgence given to those crossing the sea.⁹ The order for pay-

¹ 30 October 1256: *ibid.*, 4.I.11 Papalium.

² 4 November 1256: *ibid.*, Locellus III, 25.

³ Matthew Paris, *Chron. Maj.*, v, 553-57; *Ann. de Waverleia*, p. 348.

⁴ Matthew Paris, *Chron. Maj.*, v, 610.

⁵ Undated letter of Rostand: *Ann. de Burton*, pp. 350-54; letter of 8 November: Muniments of Dean and Chapter of Durham, Locellus XIX, 45.

⁶ Below, p. 625.

⁷ *Ann. de Burton*, pp. 354-60; Matthew Paris, *Additamenta*, pp. 312-14.

⁸ In the diocese of Lichfield a different day was assigned to the clergy of each archdeaconry, but all the days were early in January. A similar date set for the deanery of Hertford appears to have been postponed to 6 March: *Ann. de Burton*, p. 355; Matthew Paris, *Additamenta*, pp. 312, 313.

⁹ Announced by Rostand on 29 January 1256: *Ann. de Burton*, p. 364. Rostand was empowered to grant such an indulgence by bull of 7 October 1256: Rymer, *Foedera*, I, 350.

ment did not apply to the monasteries which the bishop of Hereford had placed under obligation to the Italian merchants, since they were allowed to retain their tenths in compensation for their payments to the merchants.

Though the order for payment of the tenth was generally obeyed,¹ many remained recalcitrant. Among them were the prelates who still opposed the taxation of their manorial income.² The collectors excommunicated those who did not pay, and when this sentence failed to bring some of them to terms, they sought the aid of the pope. On 22 September 1256, Alexander ordered all the archdeacons of England to cause the sentence against any delinquents in their respective jurisdictions to be solemnly published, to order the avoidance of the excommunicates until they should have satisfied the collectors, and to deprive them meanwhile of the right of appeal.³

With the monastic communities whose credit had been pledged to Italian merchants Rostand arranged for the substitution of their own bonds for those made by the bishop of Hereford. If a community's tenth for five years did not cover the loan with interest, it gave one bond for the amount of its tenth and one for the balance by which the loan and interest exceeded its tenth. To reimburse it for the second bond Rostand ordered the archdeacon of the archdeaconry in which the monastery was situated to set aside in deposit enough of the tenth paid by the secular clergy to meet the sum.⁴ After such an arrangement had been made by the collector, the king ratified it.⁵ When the obligation to the merchants had been met, the king issued an acquittance to the community for a payment of the tenth owed by them for five years up to the amount which it had paid to the merchants.⁶

During the period when the tenth for the third year became due, Rostand was acting as Henry's nuncio at the papal court.⁷ With royal approval he appointed as his commissioners during his absence Nicholas de Plumpton, papal subdeacon and chaplain and king's clerk, Bernard

¹ *Ann. de Burton*, p. 364; *Ann. de Dunstaplia*, p. 196; *Ann. de Wigornia*, p. 443; *Chart. of Sele*, p. 99.

² Rymer, *Foedera*, I, 342, 345, 346; *Close Rolls, 1254-56*, p. 407.

³ Rymer, *Foedera*, I, 348.

⁴ Matthew Paris, *Additamenta*, pp. 316, 317; Muniments of Dean and Chapter of Durham, Locellus III, 25.

⁵ Matthew Paris, *Additamenta*, p. 323; *C.P.R. 1247-58*, pp. 514, 517, 518, 587; Deputy Keeper, *Fifth Report*, app. II, p. 70, no. 589; *Ancient Corres.*, II, 96; *Chancery Misc.* 18/9, nos. 32, 34, 37, 39. The letters are dated from 2 to 10 May 1256.

⁶ 14 May to 20 July 1256: *C.P.R. 1247-58*, pp. 515-17. A copy is given in full in *Ann. de Oseneia*, p. 112.

⁷ His safe-conduct was dated 8 June 1256 and he returned before 18 February 1257: Prynne, *Records*, II, 864, 868, 917; *C.P.R. 1247-58*, pp. 478, 519, 521, 587.

of Siena, papal subdeacon and chaplain, and William of Lichfield, canon of St Paul's. They served from 8 June 1256 to 18 February 1257. At the end of the period they accounted for 3,952 marks 4s. $\frac{3}{4}$ d. which they had received from the deputies appointed by Rostand to collect the tenth and other money for the crusade.¹ They not only acted as receivers of the tenth from the deputies, to whom it was due from the taxpayers in December 1256, but they also gave instructions to the deputies and heard complaints from the taxpayers.²

Before the tenth for two additional years was collected, it became associated with new financial burdens which Alexander IV placed upon the English clergy during the summer of 1256. The initiative in seeking further taxes came from Henry III. By the spring of 1256 he was beginning to see that the terms of the Sicilian contract, which he had accepted so blithely despite the opposition of the magnates of his council, would be impossible of fulfilment. He therefore took the opportunity offered by a letter excusing himself to the pope for failure to comply with his request for the immediate dispatch of troops to Sicily³ to seek postponement of the date when the final render of money and soldiers would become due.⁴ He argued that no prince could raise so large a sum of money in the time conceded. He claimed that by the next midsummer he would have paid 41,000 marks which the bishop of Hereford had borrowed from Italian merchants by pledging the royal receipts from the tenth, nearly 30,000 marks guaranteed to the same merchants by the obligations placed upon the monasteries, 5,000 marks or more for the interest and expenses of the latter loan, and 1,200 marks owed to another Italian firm. His experience in obtaining these sums had finally convinced him that it would be impossible to raise the balance necessary to reach a total of 135,541 marks by the next Michaelmas. In June he added to his plea for delay a request for the papal imposition of additional taxes upon the English clergy, appointing a delegation, of which Rostand, the abbot of Westminster and the elect of Salisbury were members, to present the petition to the pope.⁵

The postponement Alexander IV was loath to grant. Not only were affairs going badly in Sicily but also the pressure exerted by his creditors was heavy. On 5 February 1256 he wrote to the bishop of Hereford that the Roman merchants who had lent money for the Sicilian business were

¹ *C.P.R.* 1247-58, p. 587.

² *Chart. of Sele*, pp. 99-101.

³ Papal request dated 18 September 1255: *Pothast, Reg.*, 16018.

⁴ Undated royal letters entered among those dated late in March and early in April: *Close Rolls*, 1254-56, pp. 404-9. The proctor to whom one was addressed was appointed 20 February 1256: *C.P.R.* 1247-58, p. 463.

⁵ Commissioned from 7 to 12 June: *Close Rolls*, 1254-56, p. 316; *C.P.R.* 1247-58, pp. 478-81. On their business see *Ann. de Dunstaplia*, p. 199; Rymer, *Foedera*, I, 344-51.

threatening to take possession of the churches of Rome, as they were authorized to do by their contracts, if their loans should not be repaid on time. For that reason he told the bishop to warn the king that delay on his part would result in the stipulated abrogation of the contract.¹ Rostand was met in June, after he had left England for Rome, with a papal letter recapitulating the papal difficulties with the merchants and ordering the nuncio to urge the king to hasten the dispatch of money and troops.² After Rostand and his companions reached Rome and acquainted Alexander more fully with Henry's needs and desires, the pope was more willing to help the king obtain more money from the English clergy than he was to defer payment of the balance due under the contract. Yet enforcement of the contract would kill the goose that laid the golden eggs, and no other goose was in sight at the moment. After waiting until 27 September in the vain hope that fear of excommunication and interdict would bring Henry to terms, he prorogued the date of payment for a week. Before the period ended, the date was further postponed to 11 October, and finally it was extended to 1 May 1257.³ This boon was accompanied by the appointment of the archbishop of Messina as papal nuncio to examine the situation in England more fully and to expedite the process of obtaining the money necessary to pay the balance of the royal debt.⁴

The royal request for new clerical taxation was met much more promptly by a series of letters bearing dates from 21 August to 2 September 1256. With regard to the tenth two commissions were issued on the same day. One ordered the bishop of Norwich and the abbot of Peterborough, following the instructions previously given to Rostand and the archbishop of Canterbury, to execute the business of the cross, including the collection of the tenth, and to keep the proceeds for the king. The other commanded Rostand to collect the tenth and to keep the money subject to papal order for the exoneration of the debt in which the king was held to the church.⁵ The two letters appear to have given conflicting orders, unless it be assumed that the first referred to the triennial tenth and the second to the biennial. Another letter addressed to the archdeacons of England makes it evident that Rostand was to collect the

¹ Rymer, *Foedera*, I, 336.

² Letter of Rostand to Henry, dated Tours, 24 June: Ancient Corres., XLVII, 34. Langlois dates the letter 1257: *Revue historique*, LXXXVII, 62, 63. When Rostand wrote, he was prepared to start for Lyons the next day. In 1257 Rostand was at Rochester on 7 July and elsewhere in England late in June: *C.P.R.* 1247-58, pp. 566-68. The archbishop of Tarentaise mentioned in the letter was Rostand's companion on embassies to Rome both in 1256 and 1257.

³ Rymer, *Foedera*, I, 348, 350; Papal Bulls, 2/14.

⁴ 9 November 1256: Rymer, *Foedera*, I, 351.

⁵ Rymer, *Foedera*, I, 346.

biennial tenth. They were directed under penalty of excommunication to assess the benefices in their respective archdeaconries, to collect the tenth thereon when requested to do so by Rostand, and to deliver their receipts to the nuncio.¹ Again the length of time for which the tenth was to run was not specified, but the letter could have related only to the biennial tenth, since it was destined to arrive in England only after the last payment of the triennial tenth had become due.² Rostand, however, did not cease to concern himself with the administration of the triennial tenth,³ and on the very day that the bishop of Norwich and the abbot of Peterborough were commissioned, the pope conferred upon Rostand power to compel the English bishops to assess the manors of themselves and of the religious subject to them and to pay the tenth for the three years on their own temporalities. On 15 December 1256, moreover, Alexander referred to Rostand as having a plenary commission with regard to the business of the cross. Apparently the bishop of Norwich and the abbot of Peterborough were intended to be subordinate to Rostand. The papal letters contained one further item concerning the tenth. Henry III was assured that the service owed to him by the prelates from their manors would not be prejudiced by the levy of the tenth upon the income from the manors.⁴

In addition to these new provisions for the collection of the previously granted tenths, the pope imposed a series of new taxes upon the clergy to help Henry meet his contract. They consisted of the fruits during vacancy of benefices vacant so long that their collation devolved upon the apostolic see, the fruits of benefices in which their holders did not reside, unless their absence was sanctioned by the bishop or the pope or was for the purpose of attendance at schools or the papal court, the portion of the personal property of intestates devoted to the welfare of their souls, and the annates of benefices other than archbishoprics, bishoprics, abbaties and collegiate priories vacant during the next five years. Rostand was appointed collector of all these taxes.⁵

Though the papal letters were mandatory and seem to have left the clergy no option of refusal, the graces, as the concessions were called, became the subject of prolonged discussion in clerical assemblies. They

¹ *Ibid.*, I, 345.

² It came with the return of Henry's embassy which reached England on 18 January 1257 or thereabout: Matthew Paris, *Chron. Maj.*, v, 618; *Ann. de Burton*, p. 384. The annalist of Burton states that this bull related to the biennial tenth: p. 389.

³ Matthew Paris, *Additamenta*, p. 350; *Cal. Pap. Regs. Letters*, I, 345; *Close Rolls, 1256-59*, p. 42; *C.P.R. 1247-58*, pp. 566, 587. I have found no trace of activity on the part of the bishop and the abbot.

⁴ Rymer, *Foedera*, I, 345, 346, 352.

⁵ *Ibid.*, I, 344, 345; Johnson, 'Keeper,' *Essays to T. F. Tout*, p. 137.

were announced by the king at a council of the magnates and prelates which began on 16 March 1257. He introduced them as part of an explanation of the status of the Sicilian affair upon which he based an appeal for baronial help.¹ The barons, however, were not directly concerned with these taxes, and they ignored them in the formal document which constituted their reply. They merely enumerated the aspects of the Sicilian project and of the external relations of England which, together with the cost, seemed to them to make the project impossible of execution, and expressed their opposition to the assumption of such a burden by the king.² The clergy could not ignore the papal mandates. They learned of the Sicilian situation from the archbishop of Messina and of the graces from Rostand at a convocation which assembled on 25 March.³ The bishops and clergy in attendance,⁴ after several days of debate, took two actions. They gave vent to their indignation in a document wherein they denounced the impractical character of the plan, asserted that the money spent upon it was wasted, and denied their responsibility to provide money for a project about which they had not been consulted.⁵ They met the commands of the apostolic see with the suggestion that they should compound for all the graces by a payment of £52,000, provided the lower clergy would consent to the bargain. They agreed to consult the clergy and during the month after Easter to return proctors instructed to answer finally. If they should fail, Rostand would proceed with the collection of the taxes.⁶

At the adjourned convocation, held on 22 April, the clergy offered to make the composition, provided the king would promise to relieve them of oppressions specified in a list containing more than fifty articles.⁷ Though Henry had expressed his willingness to remedy abuses, he was not

¹ The apparent meaning of Matthew's account in which he telescoped the transactions 'in parliaments' with those in convocation: *Chron. Maj.*, v, 621-23. He described the taxes with his customary lack of exactness. The writ of summons of the council appears in *Ann. de Burton*, p. 384.

² 'Rationes magnatum contra regem': *Ann. de Burton*, p. 387.

³ *Ibid.*, pp. 386-89. The debt of 135,541 marks was mentioned at one or both assemblies: *ibid.*, p. 390; Matthew Paris, *Chron. Maj.*, v, 623. By that time, however, Henry had paid a large part of it with the money received from the tenth. I find no justification for Treharne's statement that the cost of the war exceeded by 135,000 marks the sum so far received from the tenth: *Baronial Plan*, p. 61.

⁴ On the composition of this convocation see Lunt, 'Consent,' *Essays in Honor of George L. Burr*, p. 148.

⁵ *Ann. de Burton*, pp. 390, 391.

⁶ *Ann. de Burton*, p. 389; Matthew Paris, *Chron. Maj.*, v, 623, 624; *Ann. de Oseneia*, pp. 114, 115. The amount, which is variously stated by the chroniclers, is taken from an official document: *Ann. de Burton*, p. 402. Treharne states that the arrears of the triennial tenth were included in the bargain: *Baronial Plan*, p. 61. The archbishop of Canterbury stated officially that the composition was for the graces: *Ann. de Burton*, p. 402. The graces were the new taxes.

⁷ Matthew Paris, *Chron. Maj.*, v, 637, 638; *idem*, *Addimenta*, pp. 353-65; *Ann. de Burton*, p. 392.

prepared to embark upon so vast a program of reform. He therefore postponed his answer until his nuncios should have returned from France.¹ During the interval Rostand, who was again sent as a member of a royal embassy to Rome, agreed that the execution of the papal mandates should not begin before the return of the embassy from the papal court.² On 22 August, in defiance of a royal prohibition,³ convocation met again to consider clerical grievances against king and pope. Since the king had not yet replied to their proposal, although the royal envoys had returned from France, they decided to send messengers to the king, who was then engaged on a Welsh campaign, to ascertain his answer. They also debated the advisability of sending nuncios to the papal court to obtain papal sanction for the composition,⁴ coming to the conclusion that they would dispatch proctors to oppose the taxes and postpone seeking papal ratification of the compromise until after the king had given his answer.⁵ No record of the king's reply has come to light, but the plan was subsequently dropped.⁶

The king, indeed, had become so discouraged by the strong opposition to the Sicilian project that he was prepared to withdraw from it, unless he could obtain more favorable terms from the pope. As early as 24 April 1257 he expressed his doubts to Rostand, and ordered the collector to make no more payments from the proceeds of the tenth and other money of the cross on the Sicilian account, but to keep the money in deposit awaiting the royal order.⁷ In June he appointed envoys, of whom Rostand was one, to present new petitions to the pope.⁸ They were to seek the removal of the penalties established in the contract for failure to pay the debt and to send troops on time. If that plea should fail, they were further empowered to make one of several new arrangements, going even to the extent of renouncing the gift, provided the pope would restore what

¹ Matthew Paris, *Chron. Maj.*, v, 624, 637, 638; *Ann. de Burton*, p. 402.

² *Ann. de Burton*, p. 405.

³ *Close Rolls*, 1256-59, p. 142.

⁴ This renders it probable that the initiative in suggesting the composition came from the English clergy, and not from the pope as the annalist of Burton suggests: p. 389.

⁵ *Ann. de Burton*, pp. 401-08; *Ann. de Wintonia*, p. 96.

⁶ A portion of the tenth was subsequently collected, and there is no evidence of the execution of the composition.

⁷ *C.P.R.* 1247-58, p. 566. On 3 June the pope ordered Rostand to disregard this prohibition and threatened to proceed against king and kingdom, if the king should continue to hinder deliveries to the papal creditors: Rymer, *Foedera*, I, 356.

⁸ Rostand's safe-conduct was dated 18 May, but the order for his passage at Dover was not issued until 30 June, and he apparently did not leave England until 7 July or thereabout: *C.P.R.* 1247-58, pp. 554, 564-68; *Close Rolls*, 1256-59, p. 136; *Liberate Roll* (Chancery) 33, m. 4. The other envoys were the archbishop of Tarentaise, the bishops of Rochester and Bath and Wells, Simon de Montfort, Peter of Savoy, John Mansel, and Nicholas de Plumpton.

had been paid.¹ Thus Henry had reached the point where he was willing to give up the new taxes, if he could avoid the penalties for his failure to pay his debt to the pope at the prescribed term in no other way.

Alexander naturally did not wish to forego the new taxes, which were to be used to reduce the papal debt, and if he removed the penalties, he lost the only means by which he could force the king to persist in his effort to obtain them. English clerical opposition had reached a stage which was causing the king apprehension, and the pope desired to keep him from giving way to it. The royal envoys consequently failed to obtain any of the suggested revisions, though they remained at the papal court for a long time.² The most that Alexander would concede was a further suspension of the penalties until 1 June 1258,³ which was later extended for three months.⁴ In return for the delay he required the bishops of Bath and Wells, Rochester and Ely to oblige themselves collectively for payment to merchants of Siena of 5,500 marks which the Roman church owed to them for the Sicilian business,⁵ and the royal nuncios to oblige the king for payment of another 4,500 marks to the same merchants from the taxes.⁶ He then sent his notary, Arlotus, to Henry with the proposal that the king should ratify these obligations undertaken by his envoys, pay an additional sum of 30,000 marks immediately, permit all of the money produced by the tenth and the other apostolic graces to be applied to the debts of the church, make peace with France, come to Sicily with 8,500 armed followers by 1 March 1259, and ask his lay subjects for an aid to meet the cost of the expedition.⁷ If Henry would accept these modifications of the original Sicilian contract, Alexander was prepared to authorize Finatus, Henry's permanent proctor at the papal court,⁸ to pledge the unpaid tenth of the churches and manors belonging to the English archbishops and bishops to certain merchants in the same manner that the tenth of the monasteries had been pledged previously.⁹

¹ *C.P.R. 1247-58*, pp. 565-67; Rymer, *Foedera*, I, 355, 359-61. Henry arranged for certain Florentine merchants to receive the tenth, the new taxes, the money of the cross and other specified royal revenues in return for an advance of 20,000 marks to his envoys at Rome, and he even issued his bond for half of the sum: *C.P.R. 1247-58*, pp. 562, 563. The transaction appears never to have been completed, for the envoys had to raise 10,000 marks from other sources.

² They were still there in November: *C.P.R. 1247-58*, pp. 605, 606; Rymer, *Foedera*, I, 365.

³ 12 December 1257: *Regs. d'Alexandre IV*, 2379; Rymer, *Foedera*, I, 358.

⁴ 19 January 1258: *Lists and Indexes*, XLIX, 253; Potthast, *Reg.*, 17156.

⁵ *Flores Historiarum*, III, 349-52.

⁶ Rymer, *Foedera*, I, 368, 371. Treharne states that the nuncios paid 4500 marks: *Baronial Plan*, p. 142, n. 6.

⁷ The papal letters did not state the proposal which Arlotus was authorized to make, and knowledge of it is derived from Henry's reply: Supplementary Close Roll 2, m. 5. ⁸ Liberate Roll 13, m. 1.

⁹ 26 December 1257: Rymer, *Foedera*, I, 368. The bishops were still withstanding the taxation of their temporalities on 1 August 1258: *Close Roll, 1256-59*, p. 326.

The determination of Alexander IV to secure the levy of the taxes which he had decreed was made further apparent by the new orders which he gave for their collection. On 4 October 1257 he appointed the bishop of Salisbury, the archdeacon of Canterbury and the prior of St Andrew, Northampton, to act as collectors of the tenth and other revenues granted to the king for the execution of his vow, proceeding according to the regulations formerly prescribed for Rostand and the archbishop of Canterbury. They were to disregard the opposition of the English bishops to the taxation of their temporalities and the appeal made by the clergy to the apostolic see. If they should fail to obey the mandate, they would be excommunicated and deprived of their offices.¹ On 26 December this commission was followed by another which made each archbishop and bishop responsible for the collection in his own diocese of the quinquennial tenth, the money of the cross and the new taxes. They also were to follow the instructions previously given to Rostand and the archbishop of Canterbury, and disobedience would bring upon them suspension from the administration of temporalities and spiritualities.² Excepted from this commission were 5,500 marks which were allotted to the bishops of Bath and Wells, Ely and Rochester to enable them to meet their obligation to the merchants of Siena. The three bishops were authorized by the pope to secure this sum with any accrued interest and expenses by collecting the tenth, the arrears of the tenth, the annates or any other revenues granted by the pope for the Holy Land or Sicily to the amount of the debt, and all earlier commissions of collectors were suspended until they had recovered the specified sum. Henry III was notified that if he did not sanction the arrangement, he would be forbidden entrance to a church and his chapels would be placed under interdict.³

The news of these events was brought to England by Rostand and Arlotus in March 1258.⁴ It led directly to the baronial revolt. Early in April Henry placed the information before the magnates in parliament. The prelates withdrew in order to consider the business in convocation.

¹ Rymer, *Foedera*, I, 363; *Regs. d' Alexandre IV*, 2238. It is not specified whether they were to collect the triennial tenth, the biennial or both. Neither is it clear whether they superseded the bishop of Norwich and the abbot of Peterborough or Rostand, or all of them. They probably superseded Rostand, because the pope was displeased with him for leaving his post in England without papal permission: Rymer, *Foedera*, I, 356, 357; *Ann. de Dunstaplia*, p. 206; Matthew Paris, *Chron. Maj.*, I, 647.

² Rymer, *Foedera*, I, 367. The letter is addressed to the archbishop of York and his suffragans. I have assumed that a similar letter was sent to the archbishop of Canterbury and his suffragans.

³ Pope to king, Viterbo, 22 December 1257: *Flores Historiarum*, III, 349-52. The year given is 1258. It is wrong because Alexander was at Viterbo in 1257 and at Anagni in 1258 on that day. The letter was brought to the king by Arlotus in the spring of 1258: *Ann. de Theokesberia*, pp. 162, 163.

⁴ Matthew Paris, *Chron. Maj.*, v, 672, 673; *Ann. de Dunstaplia*, p. 208. Cf. *Ann. de Theokesberia*, p. 163.

The barons, after long debate, promised to try to persuade 'the community of the realm' to grant an aid for the Sicilian expedition, provided the king would reform the government as the barons should advise and the pope would ameliorate the terms of the Sicilian contract still further.¹ Within a few days Henry sent another embassy to Rome to ask for modifications of the papal proposal brought by Arlotus, and simultaneously he explained to Arlotus what changes he desired. He was ready to approve the immediate payment of 10,000 marks to which his envoys had pledged him. The further payment of 30,000 marks he could not meet, because it was in excess of the amount so far received from the tenth, and his prelates would not pledge themselves for it, as the pope had suggested. He was willing to allow the tenth then owed for four years by the prelates, the Templars and the Hospitallers to be applied to that sum and to aid the Roman church to collect it. He was not prepared to allow the remainder of the tenth and the graces to be used for the debts of the Roman church. He wanted the payment of the balance of 135,541 marks which would still be due after the instalments of 10,000 and 30,000 marks had been rendered, and which he estimated at 35,541 marks,² to be postponed for four or five years. During that interval he might obtain possession of Sicily, and any surplus yielded by the tenth and the graces above the 40,000 marks might better be employed to accomplish this result. The troops he could not send at the time specified, but he would dispatch them as soon as possible, if the pope would authorize the merchants to lend him 100,000 marks on the surety of the remainder of the tenth and the graces and of the aid which the barons had made provisional upon the reformation of the kingdom and the alteration of the Sicilian contract. Negotiations for peace with France were in progress.³ Though the visionary plan of borrowing 100,000 marks on such inadequate security seems to bear the stamp of Henry's peculiar financial genius, the suggested postponement may have represented the changes in the contract which the barons demanded. Presumably they were, at any rate, the terms which the royal envoys were instructed to obtain from the pope.

The mission was probably unsuccessful, for early in August⁴ the baronial council, which then controlled the government,⁵ sent another delega-

¹ Treharne, *Baronial Plan*, pp. 65-67.

² He stated that the 40,000 marks would bring the total payment on the contract up to 100,000 marks. His expectation of paying nearly 80,000 marks by 24 June 1256 had evidently remained unfulfilled. That sum included, however, 5,000 marks of interest which were not calculated in the 135,541 marks.

³ Supplementary Close Roll 2, m. 5.

⁴ The government had heard from the embassy before that date, since on 28 June it had ratified payments made to certain Sicilians at the Roman court by a member of the embassy: *C.P.R. 1247-58*, pp. 629, 639. It is possible, of course, that it had not yet received the papal reply.

⁵ Treharne, *Baronial Plan*, pp. 69-76, 83-95.

tion in the king's name. The letters which it bore to the pope stated that the payment of 30,000 marks could be made only if the pope would force the archbishops, bishops, Templars and Hospitallers to pay the triennial tenth which they still owed, and that the aid from laymen would be levied only if the pope would alter the contract in the manner which the nuncios would relate to him orally.¹ The proposals of this delegation confirmed Alexander in his view that no further substantial help for the Sicilian project could be expected from England as long as the government remained in the hands of the barons who had opposed English participation from the outset. He therefore cancelled the grant of the Sicilian crown to Edmund. He suspended the execution of the sentences of excommunication and interdict, and he left it open to Edmund to recover the grant by paying with interest the balance of the original 135,541 marks still due, provided the apostolic see had not bestowed the crown elsewhere meanwhile.² The door was thus left open for Henry to return to the Sicilian fold, should he regain control of the English government.

The council was content to let this settlement stand. Its nuncios remained at the papal court after the revocation to discuss the affair further,³ and twice during 1259 it sent new embassies to Rome bearing messages about Sicily among others.⁴ Yet it appears to have offered no new terms which would have been likely to alter the papal decision. In 1261, when Henry asserted that the council had allowed Sicily to be lost contrary to its promise, it replied that its promise was dependent upon the papal concession of better terms, and, those failing, it had not cared to proceed further after the pope cancelled the covenant.⁵ Henry III was of another mind. Late in 1259, when a journey to France gave him sufficient freedom from the immediate control of the council, he attempted to reopen the question with the pope.⁶ His effort was fruitless, since the king could do nothing as long as the council which was hostile to the Sicilian project controlled the government of England. Late in March 1262, after the king had recovered his power, he requested a renewal of the Sicilian grant.⁷ It was his view that the cancellation of the contract by Alexander IV in 1258 was invalid, because the baronial council was then conducting the negotiations.⁸ Urban IV, who was then pope, replied

¹ *Close Rolls*, 1256-59, pp. 320, 322-28.

² 18 December 1258: Rymer, *Foedera*, I, 379; Matthew Paris, *Addimenta*, pp. 410-16; Cotton MS. Cleop. E I, fol. 193. For further details see Treharne, *Baronial Plan*, pp. 102-7.

³ *Close Rolls*, 1256-59, pp. 472, 473.

⁴ On 24 May and 4 August: *C.P.R.* 1258-66, pp. 37, 51, 52; *Close Rolls*, 1259-61, pp. 273, 274.

⁵ Jacob, 'Complaints of Henry III,' *E.H.R.*, xli, 568, 569.

⁶ Rymer, *Foedera*, I, 392; Shirley, *Letters*, II, 147; Prynne, *Records* II, 960; *Close Rolls*, 1259-61, pp. 258-60, 265, 266; Treharne, *Baronial Plan*, pp. 218, 219.

⁷ Treharne, *Baronial Plan*, p. 277.

⁸ Rymer, *Foedera*, I, 405; Prynne, *Records*, II, 985.

that the term of the Sicilian grant had long since expired.¹ He followed this, on 28 July 1263, with a formal revocation of the grant and an order for the king and Edmund to renounce their claims or to present them before the apostolic see within four months.²

The fate of the taxes granted by Alexander IV in 1256 is difficult to trace during this troubled period in the Sicilian negotiations. When Rostand left for Rome in 1257, he suspended their collection until his return. Before that time he was superseded by the archbishops and bishops. They brought the question of the tenth before a convocation which convened at Merton on 6 June 1258 primarily to consider the reforms to be requested of the king.³ The assembled clergy debated a proposal to quash the tenth, but with what issue our sole informant did not say.⁴ Either here or elsewhere, however, the clergy accepted responsibility for payment of that portion of the biennial tenth for which the bishops of Bath and Wells, Rochester and Ely had pledged their property, and authorized the English bishops to collect before Michaelmas, 1259, a thirtieth and the arrears of the triennial tenth to make up the required sum of 5,500 marks.⁵ Before that date it became evident that the yield of these taxes would be inadequate for the purpose, and, on 16 July 1259 at Lambeth, the prelates of England imposed a new tax to meet the anticipated deficit. They decreed that each recipient of a benefice in England during the next three years should pay a fiftieth of the estimated income of the benefice for the first year. If this levy should produce a surplus, it was to be used for the common business of the Anglican church.⁶ They also authorized the three bishops to exact from those who refused to pay the thirtieth or the arrears of the tenth by Michaelmas a tenth for two full years in addition to any arrears owed for the triennial tenth.⁷

From this decree it may be inferred that the biennial tenth in excess of the amount of the thirtieth was not being collected. Since the pope had authorized the three bishops to receive 5,500 marks from this tenth, the clergy would not have been likely to place the burden of annates upon themselves, had any proceeds from the biennial tenth in excess of the thirtieth been available.⁸ On or before 8 September 1259 the baronial

¹ *Regs. d'Urbain IV*, I, 145.

² *Ibid.*, II, 297-99; Rymer, *Foedera*, I, 428. Cf. *Cal. Pap. Regs. Letters*, I, 408.

³ *Ann. de Burton*, pp. 411-29.

⁴ William of Newburgh, *Cont.*, II, 538, 539.

⁵ *Flores Historiarum*, II, 433, 434; III, 353; *Cart. de Rameseia*, I, 67, 68.

⁶ Nothing in the letter seems to warrant Treharne's statement that the common business was to oppose the levy of the biennial tenth: *Baronial Plan*, p. 142.

⁷ *Flores Historiarum*, III, 353, 354. The penalty did not apply to those who refused to pay the fiftieth, as Treharne asserts: *Baronial Plan*, p. 142.

⁸ In January, April and May, 1259, royal letters ordered the two archbishops and various bishops to cease demanding the tenth of two king's clerks who had satisfied the king for it: *C.P.R. 1258-66*,

council postponed the further collection of the tenth, of the goods of intestates, of goods indistinctly bequeathed and of money bequeathed to the Holy Land until it should be learned from the nuncios recently sent to the pope how to proceed.¹ On 4 June 1260 the council was still upholding its prohibition pending news from its nuncios, and it ordered a local collector who had been seeking the tenth from royal clerks not to levy it from any one in his diocese until the council should notify him otherwise.² By 21 January 1261 this prohibition appears to have been removed. At that time the chancery ordered the bishops of three dioceses to stop demand of the arrears of the tenth and other contributions granted to the king by the pope from the churches held by a king's clerk. The assigned reason was that the king had remitted the dues to the clerk. No intimation was given that the collectors were violating a royal prohibition by attempting to exact these taxes.³ When Henry III recovered power in 1261, he seems to have renewed the attempt to secure the biennial tenth and the other graces. At a convocation held at Merton on 3 June 1261 all the bishops of England voted that the tenth and the contribution demanded by the king should be rendered no further.⁴ Later the new pope, Urban IV, intervened. On 26 September 1261 he ordered John of Frosinone, the collector in Ireland, to assemble all the money belonging to the Roman church deposited in Ireland and England,⁵ and on 19 January 1262 he appointed Leonard, precentor of Messina, English collector of the papal revenues, among which were specified the tenth and any money owed to the Holy Land.⁶ When Henry objected that Innocent IV and Alexander IV had granted these taxes to him, Urban replied that the concession had expired, since he had neither gone on the crusade nor fulfilled his contract with regard to Sicily.⁷ In 1263 his formal revocation of the Sicilian grant destroyed the last vestige of a right which the king might have had to levy the graces conferred upon him by Alexander

pp. 8, 9. They must relate to the triennial tenth, and not to the biennial tenth, as I once thought: *Valuation of Norwich*, p. 93.

¹ *Close Rolls, 1256-59*, p. 485. The letter mentioned none of the new taxes granted in 1256 with the possible exception of the goods of intestates, but Treharne cites it as evidence that the council stopped the collection of these taxes: *Baronial Plan*, p. 143.

² *Close Rolls, 1259-61*, p. 171. If the prohibition did not apply to the arrears of the triennial tenth, as Treharne assumes (*Baronial Plan* p. 143; *E.H.R.* xli, 568, n. 5), this incident indicates that the collectors were trying to levy the biennial tenth. It seems to me more probable that the prohibition applied to the triennial tenth than that the bishops were exacting the biennial tenth.

³ *Close Rolls, 1259-61*, pp. 456, 457.

⁴ *Chron. of Monas. of Abingdon*, pp. 12, 13. The assembly of a provincial synod by the archbishop of Canterbury at this approximate time is attested by a royal letter: *Close Rolls, 1259-61*, p. 481.

⁵ *Cal. Pap. Regs. Letters*, i, 380.

⁶ *Regs. d' Urbain IV*, i, 132.

⁷ *Ibid.*, i, 145.

in 1256 solely for the Sicilian affair, and it would seem to have left the pope with no better claim to them, since it ended the existence of the purpose for which they had been granted. The revocation did not, on the other hand, invalidate the papal claim to the tenths and to the legacies and obventions originally granted by Innocent IV for the Holy Land. In fact, neither pope nor king abandoned their claims to these revenues. Clement IV, in 1266, charged his collector, Sinitius, with the collection of the tenth,¹ and in 1272 Henry III was enforcing by sequestration the payment of a balance due for the tenth of the diocese of Chichester owed by Rostand's deputy.² The latter was probably the triennial tenth, since Rostand was dismissed before any attempt was made to collect the biennial tenth. Whether the commission of Sinitius included both tenths or only the triennial tenth must be left in doubt, but no trace of any papal or royal attempt to collect either the biennial tenth or the other graces conceded in 1256 has come to light.

Thus the opposition of the English clergy to the biennial tenth and the other taxes decreed by Alexander IV in 1256 appears to have met with a measure of success which was large but not complete. Because the bishops of Bath and Wells, Rochester and Ely would otherwise be the losers, the clergy consented to the levy of a thirtieth and annates designed to be the equivalent of 5,500 marks, which was about the yield of half a tenth. Some of the monasteries bound to the Italian merchants by the bishop of Hereford had, moreover, to pay their tenth for the whole five years in order to meet their obligations. How many of them were liable to this extent cannot be determined exactly. The amount for which each was responsible to the merchants is known in many instances,³ but the value of the tenth of these monasteries can be ascertained in only a few instances. The abbey of Waltham paid a loan of 200 marks, which, if no interest was due, was only a few marks in excess of its tenth for three years.⁴ Malmesbury was in a like situation, and Glastonbury's debt was equivalent to its tenth for approximately four years. Bury, Durham, Eynsham, Malton, Osney and Peterborough, on the other hand, each paid a debt equivalent to its tenth for five years or more.⁵ If this ratio is typical, the majority of the many monasteries saddled with loans by the Savoyard bishop paid the whole of the biennial tenth, and many others paid a part of it. This computation, moreover, takes no account of the

¹ *Regs. de Clément IV*, 765.

² *C.P.R.* 1266-72, pp. 631, 632.

³ *C.P.R.*, 1247-58, pp. 515-17.

⁴ They were acquitted of the tenth for five years for that sum, nevertheless: Lunt, *Valuation of Norwich*, p. 524.

⁵ Lunt, *Valuation of Norwich*, pp. 478-81, 485-92, 496-99, 501-11, 520-24.

interest which increased the amount paid by several monasteries. The original liability of Bury was 700 marks, but in 1257 the abbot owed the merchants 820 marks for it.¹ The interest on the 500 marks charged against St Albans amounted to 105 marks.² The monasteries undoubtedly paid a substantial portion of the biennial tenth. Possibly the goods of intestates granted to Henry III for the Sicilian project in 1256 were also levied. Goods of intestates dying in England were among the revenues of which the council suspended the collection in 1259,³ but the council probably referred to the goods of intestates signed with the cross,⁴ which were not dependent for their collection upon the mandate of 1256 but upon authority given by Innocent IV and renewed by Alexander IV in 1255.⁵

Concerning the collection of the arrears of the triennial tenth after the last instalment of it became due in December 1256, we are accorded only glimpses. Rostand apparently remained primarily responsible for it. Shortly before he left for Rome in 1257 he accounted to the royal treasurer.⁶ During his absence his deputies probably continued the work, possibly under direction of the abbot of Peterborough.⁷ When Rostand returned in the spring of 1258, he had been superseded by the English archbishops and bishops, who, with the aid of the deputies appointed by Rostand, were engaged with the collection of the arrears of the tenth, whenever the baronial council did not restrict their activities, until 19 January 1262, when Urban IV superseded them by including the tenth among the revenues to be levied by his general collector, Leonard.⁸ Henry III contested this action, and subsequently, in at least one instance, he held a deputy originally appointed by Rostand accountable to his exchequer for arrears. By 1262, however, the unpaid portion of the tenth probably consisted mainly of hopeless debts. Among these remained the greatest part of the tenth which the archbishops and bishops owed for their temporalities. In 1258 the baronial council had offered to help collect these arrears, if the pope would change the conditions of the

¹ *C.P.R.* 1247-58, p. 516; Harl. MS. 645, fol. 199.

² Matthew Paris, *Additamenta*, p. 382.

³ *Close Rolls*, 1256-59, p. 485.

⁴ The council made no such qualification, but it stated that the goods of intestates had been granted to the king in aid of the Holy Land. Alexander's grant in 1256 had been made to help Henry to keep his oath, which was at that time to lead an expedition to Sicily. The more limited grant of the goods of intestates signed with the cross had been made in aid of the Holy Land by Innocent IV.

⁵ *Ann. de Burton*, pp. 358, 359; below, p. 443.

⁶ *C.P.R.* 1247-58, p. 566.

⁷ The bishop of Norwich, whom Alexander commissioned as the abbot's colleague early in 1257, died in May before Rostand left in July.

⁸ *Regs. d'Alexandre IV*, 2662; *C.P.R.* 1258-66, pp. 8, 9; *Close Rolls*, 1256-59, p. 465; 1259-61, pp. 171, 456, 457; *Flores Historiarum*, III, 353, 354.

Sicilian contract, but their proposal had been denied. In 1259, when the archbishops and bishops were collecting the arrears of the triennial tenth to meet part of the debt of 5,500 marks owed to three of their number, they manifestly had no intention of paying the tenth due from their temporalities. Had they done so, the sum would have been in excess of the required amount, whereas the arrears together with an additional thirtieth fell short of it. As long as they remained in charge of the collection of the arrears, they probably did not make to themselves the payments which they had resisted for so long. After the general papal collector took over the administration of the tenth, nothing more is heard of attempts by either pope or king to enforce the render of these particular arrears.

In the disposal of the proceeds of the tenth the king became much more active after their diversion to the Sicilian project. Yet he enjoyed little discretion, because he was bound so closely by the Sicilian contract. The loans negotiated by the bishop of Hereford with the Italian merchants on the surety of the tenth amounted to 71,000 marks. Of this sum the king was directly responsible for 41,000 marks and the monasteries for the remainder.¹ Interest accumulated on both sums,² and the king also undertook to pay from the tenth salaries to the collectors³ and daily expenses to eight representatives of the Italian creditors who came to England to collect their debts.⁴ Since the tenth without the inclusion of the temporalities of some of the bishops and other prelates yielded in the neighborhood of 15,240 marks a year,⁵ approximately the whole of the proceeds of five years was pledged to the merchants. The yield of the tenth in Ireland and Gascony and of the legacies and obventions for the crusade may have added enough to take the place of the portion of the English biennial tenth which was not collected, but it probably produced little or no surplus above the amount owed to the merchants. Yet Alexander IV from time to time asked the king to pay to specified creditors of the apostolic see sums which they had expended upon the affairs of Sicily. These sums were included in the 135,541 marks, but they were not among the debts for which the bishop of Hereford had made the tenth security.⁶ At first Henry met these requests by assignments on the tenth, but he soon dis-

¹ *Close Roll*, 1254-56, p. 408.

² *Ibid.*; Jacob, 'Complaints of Henry III,' *E.H.R.*, xli, 568. Cf. Denholm-Young, 'Documents,' *E.H.R.*, xlviii, 572.

³ *C.P.R.* 1247-58, pp. 370, 449, 519; *Close Rolls*, 1256-59, p. 465.

⁴ *C.P.R.* 1247-58, p. 519.

⁵ Lunt, *Valuation of Norwich*, pp. 95-100.

⁶ Rymer, *Foedera*, i, 319; Potthast, *Reg.*, 15814; *Cal. Pap. Regs. Letters*, i, 325; *Regs. d'Alexandre IV*, 983, 1935. Once the papal treasurer requested payment of a sum which apparently was not included in the 135,541 marks: Langlois, 'Notices et Documents,' *Revue historique*, lxxxvii, 63, n. 1.

covered that the tenth could not bear the additional burden. The history of one item displays the nature of his difficulties. On 30 April 1255 the pope requested him to pay to James, archbishop of Bologna, 4,000 pounds of Tours for expenses which he had incurred in Sicily in the time of Innocent IV.¹ Rostand hesitated to obey the papal order to pay it out of the tenth, because he had received no papal instruction to that effect. He therefore asked for some monastery to become security for the payment, and the king designated the prior and convent of Westminster.² When the payment had been made, it was found necessary to restore the sum thus taken from the English tenth, and the collectors of the tenth in Gascony were directed to deliver 1,380 marks to Rostand for that purpose. Apparently the delivery was never effected, for five months later the king authorized Rostand to take the sum from the money of the old crusade, meaning thereby the money raised for a crusade before Henry himself took the cross. Some of the papal requests Henry appears to have ignored, and in the spring of 1258, when the inadequacy of the tenth had become fully apparent, the most which he would promise a cardinal who claimed to have spent in the promotion of Henry's Sicilian interests 2,000 marks not covered by the 135,541 marks was reimbursement from the revenues of Sicily when he should have obtained possession of the kingdom.³

The royal orders with regard to the disposal of the proceeds of the tenth were mainly supplementary to or in ratification of actions taken by the papal agents. Of these there were several besides Rostand. Bernard of Siena, a papal chaplain, John of Kent, who was probably the general papal collector, Sinitius, a papal scribe who later became the collector under Clement IV, and Hugutio Mace, a Florentine merchant, took part with Rostand at one time or another in arranging for delivery of the money to the merchants,⁴ and Hugo Narniensis and James Rayner, merchants of Siena, served for a time as agents for the collection of sums deposited in monasteries and churches.⁵ There were so many, indeed, that confusion sometimes resulted. Once the pope had to intervene to prevent an agent charged with the transfer of the 41,000 marks, for which the royal receipts from the tenth were the security, from exacting the sums pledged by the monasteries which were owed to other merchants.⁶ Henry III issued many letters directing prelates to give credence to these

¹ Rymer, *Foedera*, I, 319.

² *Ibid.*, I, 334; Prynn, *Records*, II, 867.

³ *C.P.R. 1247-58*, pp. 509, 517, 625.

⁴ Rymer, *Foedera*, I, 330, 343, 352; *C.P.R. 1247-58*, pp. 519, 566.

⁵ *C.P.R. 1247-58*, p. 429.

⁶ Rymer, *Foedera*, I, 330.

agents and to pay money to them or at their order.¹ In one instance he commanded a sheriff to distrain a deputy collector if he did not obey Rostand's order to render a payment to certain merchants, and to arrest any other merchants attempting to prevent the payment.² At the request of the pope he attempted to settle a quarrel among some of the merchants with regard to the priority of their respective claims on the tenth.³ He also acknowledged receipt of the sums which deputy collectors, depositaries or taxpayers paid to the merchants on the order of the papal agents.⁴ The king issued few orders of his own initiative. Once in 1256 and again in 1257 he tried to stay the deliveries to the merchants.⁵ On neither occasion was he successful, and his second order was met by a blunt papal mandate directing Rostand to disregard it.⁶ Twice he compelled collectors of the tenth to lend him money from the proceeds, but he provided guarantees for repayment of the loans. They were merely temporary, diverting none of the funds permanently from the coffers of the Italian merchants.⁷ The only appropriation of the money of the tenth for his own purposes, which has come to my notice, consisted of a few hundred marks paid to his nuncios to cover the cost of their trip to Rome upon the Sicilian business.⁸ After the Sicilian grant was revoked, Henry may have recovered a further small sum from the arrears of the triennial tenth, but manifestly he profited little from the tenth for which he incurred the ill will of the clergy and the enmity of the barons. Aside from these small sums and the cost of collection, the whole of the triennial tenth and a significant portion of the biennial tenth went to the Italian merchants in payment of debts which the papacy had originally contracted with them.

The exact sum which the papacy received from the English tenth is unknown. On 8 May 1258 Henry claimed that 60,000 of the original 71,000 marks pledged to the Italian merchants had been paid,⁹ but not all of that sum came from the English tenth.¹⁰ Subsequently the merchants received 10,000 marks which were not included in the 71,000 marks.¹¹ The merchants later secured some of the 11,000 marks and the interest which was still due them, but it was a slow process. After the

¹ *C.P.R.* 1247-58, pp. 429, 449, 462, 514.

² *Ibid.*, 1247-58, p. 520.

³ Rymer, *Foedera*, I, 343; *C.P.R.* 1247-58, p. 498.

⁴ *C.P.R.* 1247-58, pp. 462, 508, 514-17.

⁵ *Ibid.*, pp. 470, 566.

⁶ Rymer, *Foedera*, I, 356, 357.

⁷ *C.P.R.* 1247-58, pp. 480, 498, 500, 501, 520.

⁹ Above, p. 281, n. 2.

¹⁰ Some came from the Irish tenth, some from crusading obventions and legacies, and probably some from the Gascon tenth: *Close Rolls*, 1256-59, pp. 465, 466; *C.P.R.* 1247-58, p. 587.

¹¹ Above, pp. 279-81, 283; Supplementary Close Roll 2, m. 6. On 30 May 1258 the pope complained that 4,500 marks of this sum had not been paid: Rymer, *Foedera*, I, 371. An assignment for it had been made, however, on the preceding 8 May. It is possible that the assignment was not effective.

barons took control of the government, the Italian merchants found it difficult to obtain repayment of any of their outstanding loans in England. On 3 December 1258 Alexander IV ordered the archdeacon and official of London to excommunicate and place under interdict both lay and clerical debtors of the Florentine merchants, if they should not meet their obligations within two months,¹ and five years later Urban IV issued similar executory letters in behalf of merchants of both Florence and Siena.² The situation is illustrated by the experience which the merchants had with the abbot of Bury. In 1259 he merged what he owed to the merchants for the tenth of his barony with another sum borrowed from the same merchants and gave his bond to pay the debt with interest in five annual instalments running from 1261 to 1265. Even these terms do not appear to have been kept, since the abbot did not recover the bond until 1271.³ What portion of the 11,000 marks the merchants collected cannot be determined, and the amount of interest received by them is also an unknown factor. To the balance of the 135,541 marks, which was probably somewhere between 54,000 and 65,000 marks, the papacy had no claim after its cancellation of the contract. The papacy, however, had no ground for dissatisfaction with the financial outcome of its bargain with Henry III.

6. HUNDREDTH IMPOSED IN 1263

Before the echoes of the clerical opposition to the taxes for the Sicilian venture had ceased to reverberate, Urban IV imposed upon the English clergy a new income tax. On 3 October 1263 he ordered the bishop of Worcester to collect annually from the clergy of England a hundredth of their ecclesiastical revenues which he had granted to the Holy Land for five years. He issued a similar commission to the bishop of St Davids for Wales.⁴ The papal mandates appear to have been independent of any consent on the part of the clergy who were to be taxed, but the French clergy refused obedience to a similar mandate for a time,⁵ and finally held an assembly in which they formally granted the aid 'not in virtue of the apostolic commands, nor through any constraint, but of their own will.'⁶

¹ Rymer, *Foedera*, I, 378, 379.

² *Regs. d' Urbain IV*, II, 426, 518-21.

³ Cambridge University Library, MS. M m iv 19, fols. 33v-34v.

⁴ *Regs. d' Urbain IV*, II, 468. The letter of 12 July 1263, which Bliss dates 1262, speaks of the bishop of Worcester only as a preacher of the cross and not as the collector of a subsidy for the Holy Land, as Bliss states: *Regs. d' Urbain IV*, II, 397; *Cal. Pap. Regs. Letters*, I, 379.

⁵ *Regs. d' Urbain IV*, II, 374.

⁶ Rocquain, *La Cour de Rome*, II, 166, 167; Servois, 'Emprunts de Saint-Louis,' *Bibl. de l'École des Chartes*, XIX, 115.

The clergy of some countries, on the other hand, disregarded similar mandates entirely. In 1274 Gregory X revoked the mandates in those regions where the executors had not yet published them, lest the hundredth should run concurrently with the tenth for a crusade just decreed by the council of Lyons. Where Urban's decree had been locally promulgated, however, the hundredth was to be collected from those who had not yet paid it.¹ Why the execution of the mandates had been overlooked so long in some places was not explained in the papal letter. It may well have been that the executors had not put them in force before Urban's death, which took place a year after their issue, and thereafter regarded them as void without the confirmation or renewal of a subsequent pope.² In England and Wales the civil war probably prevented the collectors from attempting to execute the mandates before Urban IV died. In the spring of 1264 the baronial council forbade the clergy to send money out of the realm without its approval,³ and in the summer the grant of a tenth to the barons by the clergy⁴ added still another obstacle. The silence of contemporary documents leaves little doubt that England and Wales were among the countries in which the tax was never paid.

7. TENTH PROJECTED IN 1265

The English clergy also escaped a further fiscal burden which the papacy planned to impose upon them in aid of the royal cause against the English barons. When the disorders attendant upon the renewal of the baronial revolt in 1263 were brought to the attention of Urban IV, he immediately championed the king's cause⁵ and sent Guy Fulcodi, cardinal bishop of Sabina, to negotiate peace. The legate attributed his failure to the barons, and one of his early acts as Pope Clement IV was to appoint Ottobon, cardinal deacon of S Adriano, legate to England.⁶ One of the legate's commissions was to collect for two years a tenth of ecclesiastical revenues in the British Isles and Norway to finance against the English rebels a crusade which he was authorized to preach, with offers of the usual indulgences, in Wales, Ireland, Gascony, northern

¹ *Regs. de Grégoire X*, 569. Bliss summarizes these directions as follows: 'The hundredth of church revenues for the Holy Land, which in certain cases was remitted, is to be collected': *Cal. Pap. Regs. Letters*, I, 449.

² This point of view was common among the clergy in this period: Lunt, 'Papal Taxation,' *E.H.R.*, xxx, 406; *idem*, *Papal Revenues*, II, 124; Hemingburgh, *Chron.*, II, 219.

³ *C.P.R. 1258-66*, p. 413.

⁴ Lunt, 'Consent,' *Essays in Honor of George L. Burr*, pp. 152, 153.

⁵ *Cal. Pap. Regs. Letters*, I, 401-3; *Regs. d'Urban IV*, IV, 2838; Potthast, *Reg.*, 18662, 18831; Cotton MS. Cleop. E I, fols. 198, 243.

⁶ Above, p. 154.

France, Norway, Denmark and Germany.¹ Ottobon did not arrive in England until late in October 1265,² when the battle of Evesham had already given to the king the ascendancy over the barons. The need for a crusade had consequently passed, and the tenth was never levied.

8. TRIENNIAL TENTH GRANTED IN 1266

The baronial war nevertheless supplied the reason for the imposition of a tenth on English clerical income by Clement IV. On 9 March 1266 Henry III notified the pope of the dispatch of a royal embassy authorized to explain to him the damage sustained by the king during the recent disturbance and to seek from him relief in the form of financial aid.³ Three months later the pope answered this petition by granting to the king for three years a tenth of ecclesiastical revenues, except those of the Cistercians,⁴ Hospitallers, Templars, Carthusians, Teutonic Knights and the order of St Clare, in England, Wales and Ireland, and also in Scotland if the king of Scotland should consent. Ottobon was appointed collector, and a commission consisting of Walter Giffard, bishop of Bath and Wells, Stephen, archdeacon of Canterbury, and Ruffinus, archdeacon of Cleveland, was established to control with Ottobon's advice the disbursement of the proceeds. They were to be applied first to the king's debts and then to his other necessities.⁵ Ottobon's commission to cause the tenth to be collected was mandatory, but the nature of the papal letters to the clergy is unknown. Since the clergy appear to have been allowed no opportunity to give or to withhold their consent, payment of the tax was probably compulsory. Though their previous opposition to similar taxes had accomplished little, the loss of the right to debate taxes imposed by papal mandate in behalf of the king placed them more completely at the mercy of both pope and king.⁶

The papal grant of the tenth was announced by king and legate at a parliament which assembled at Kenilworth on 22 August 1266,⁷ and the

¹ The specified purpose was to aid those who should prosecute the business on which he was sent, but he was authorized to pledge the whole of it to Louis IX, if he would lead the crusade: *Regs. de Clément IV*, 56, 69, 121.

² *C.P.R. 1258-66*, pp. 457, 465; Wykes, *Chron.*, p. 179; *Ann. de Oseneia*, pp. 179, 180; William of Newburgh, *Cont.*, p. 549.

³ *C.P.R. 1258-66*, pp. 566, 567.

⁴ On the enforcement of the exemption of the Cistercians see Bodleian Library, MS. Topog. Lincs. d. 1, fol. 42. For this reference I am indebted to Professor Hugh MacKenzie.

⁵ Letters dated 8 and 9 June and 10 July 1266: *Regs. de Clément IV*, 320-24; Theiner, *Vet. Mon. Hibernorum*, pp. 98, 99. See also Papal Bulls, 43/1; *Ann. de Wintonia*, p. 104; Florence of Worcester, *Cont.*, II, 198; John de Oxenedes, *Chron.*, p. 232; Gervase of Canterbury, *Cont.*, p. 242; *Chron. Petrobургense*, p. 19.

⁶ Lunt, 'Consent,' *Essays in Honor of George L. Burr*, pp. 154-58.

⁷ *C.P.R. 1258-66*, p. 671; Florence of Worcester, *Cont.*, p. 198; *Ann. de Waverleia*, p. 371; John de Oxenedes, *Chron.*, p. 232.

collection was begun in the next January, when Ottobon appointed deputies in each diocese.¹ They were selected mainly from the local clergy, and the most of them were seculars.² Ottobon instructed them to make a new assessment in accordance with the papal command that the tenth should be levied 'according to the true value and not according to the ancient estimation.' If it should appear later that the true value was more than the new valuation, they were to exact the tenth at the higher rate. They were to collect the tenth of the first year in three equal portions at Easter, Midsummer and Michaelmas, delivering it to the disbursers. They were directed to excommunicate opponents, defrauders and tardy payers, and, if this sentence failed of its purpose, to invoke the aid of the secular arm.

The new valuation caused much difficulty. It was manifestly intended to increase the amount of the tenth over that established by the valuation of Norwich. In the instructions issued by the deputies in the diocese of Chichester to the local jurors who assessed the temporalities of the clergy, the enumerated items of revenue which were to be included in the estimates were many more than those on which the valuation of Norwich had been based. The deputies specified lands, meadows, pastures, rents, mills, suits of court, pleas, pannage, fines for girls, pigeon houses, gardens, wool, lambs, cheeses, services and all other kinds of issues. On the other hand, less was to be deducted for expenses. In the earlier valuation, they explained, all expenses had been deducted, including the upkeep of houses, the wages of servants, the expenses of reeves and stewards and the entertainment of guests, but in the present assessment only the cost of cultivating the land and of reaping the harvest was to be allowed.³ The valuation of 1267 was intended to increase the amount of the tenth due from the items of temporal income included in the valuation of Norwich. It was also designed to bring within its scope the many temporalities which had never been assessed in the valuation of Norwich.⁴

When the clergy foresaw the added burden which the new valuation would place upon them, they protested. At a convocation, summoned by Ottobon to meet at Bury St Edmunds on 9 February 1267,⁵ they de-

¹ Commissions dated 15 and 16 January: Papal Bulls, 43/1-5; Prynne, *Records*, II, 1027-29; *Cal. of Documents relating to Ireland*, II, 131.

² Below, p. 627.

³ 22 February 1267: *Chart. of Sele*, p. 101. The principle applied in 1267, as stated by the assessors of the income of Waltham, was the deduction of those expenses without which the fruits could not be had: Lunt, *Valuation of Norwich*, p. 549. The contrast is brought out by the items of revenue omitted and the expenses included in the valuation of Norwich: Lunt, *op. cit.*, pp. 514-16, 564, 565.

⁴ Florence of Worcester, *Cont.*, p. 202; College of Arms, Arundel MS. 30, fol. 155; *C.P.R. 1266-72*, p. 379; above, pp. 259-61, 271.

⁵ On the date see Lunt, 'Consent,' *Essays in Honor of George L. Burr*, pp. 155-57.

manded the use of the ancient valuation, objected to the payment of the tenth from their baronies and lay fees, whence they had just rendered military service to the king at great expense and which lay largely uncultivated on account of the war, and entered a caveat against the employment of laymen as assessors of clerical income.¹ Though these complaints produced no immediate results, they received attention after they had been emphasized by a vigorous and widespread opposition to the actual work of assessment. By 8 March 1267 Ottobon had decided to persuade the king to be satisfied with the 'communi et antiqua taxatione.' On the same day the archbishop of York instructed Ruffinus, who was a deputy collector in the diocese of York, to levy the tenth there on the ancient valuation, punishing those who failed to pay on time not only with excommunication but also by compelling them to pay the tenth according to the true value.² The king, who had so little money that he could not pay his servants³ and could obtain a loan only by pledging his jewels as security, was anxious to obtain a revenue from the tenth as quickly as possible. He wished neither to risk the delay which might be caused by popular opposition to the new valuation nor to sacrifice the larger amount which the new valuation would yield. On the horns of this dilemma, he compromised. He permitted the tenth in the dioceses of Hereford and Worcester to be collected on the valuation of Norwich, reserving any surplus over that valuation which might be produced by the true value, whenever the true value should be established. When he notified the legate of this decision, he deferred his judgment with regard to other dioceses, pending consultation with Prince Edward and the magnates of his council.⁴ Whatever opinions Henry may have received from these advisers, he did not extend the privilege of payment on the valuation of Norwich to the clergy universally. A new assessment was made in the dioceses of Canterbury,⁵ Lichfield,⁶ Lincoln,⁷ London⁸ and Durham.⁹ The clergy of the diocese of Norwich, to the contrary, secured the privilege of paying nothing beyond the valuation of Norwich for the tenth of the first year by payment of a fine of 200 marks.¹⁰ The valuation of Nor-

¹ Rishanger, *Chronicle*, p. 61.

² *Reg. of W. Giffard*, p. 173.

³ Wykes, *Chron.*, p. 204.

⁴ 8 March 1267: *C.P.R. 1266-72*, p. 133.

⁵ Muniments of Dean and Chapter of Canterbury, *Cartae Antiquae P* 54.

⁶ *C.P.R. 1266-72*, p. 193.

⁷ *Ibid.*, pp. 75, 357.

⁸ Lunt, *Valuation of Norwich*, p. 550.

⁹ *Ibid.*, p. 208.

¹⁰ *C.P.R. 1266-72*, pp. 96, 108, 121. In 1269, when the king learned that many temporalities in the diocese had never been assessed in that valuation, he repudiated the agreement to the extent of having the tenth assessed and levied from the omitted temporalities: *C.P.R. 1266-72*, p. 379; Patent Roll, 53 Henry III, m. 23^v; below, pp. 299-301.

wich was probably used also in the diocese of Chichester,¹ and for the levy of the tenth of spiritualities in the diocese of Bath and Wells.² What valuation was used for the first year in the other dioceses I have not discovered. With some individual payers the king arranged to commute the tenth for the year or for the period to a fixed sum,³ but of others who rendered their tenths directly to the wardrobe he required additional payments, if it should be proved later that their renders represented less than the true value.⁴

The other grievances presented by the clergy at the convocation of Bury did not go unheeded by the legate, though he was slow in taking action upon them. On 12 December 1267 he instructed the deputies to deduct from the tenth any impositions levied from the temporalities of the clergy by the king while the tenth was current. He cited scutage as an illustration of the type of impositions in question.⁵ Otherwise he made no concession with regard to the taxation of temporalities, and the tenth was levied on baronies⁶ as well as other temporalities. Eventually the legate also prohibited the use of laymen as assessors or collectors of either temporalities or spiritualities, unless it should become necessary to secure the aid of the secular arm.⁷ Before this prohibition went into effect, however, the practice had been followed to some extent. One of the principal assessors of the tenth of the first year in the diocese of Lichfield was a knight,⁸ and laymen were sometimes among the jurors who estimated the value of temporalities.⁹

In the disposal of the money produced by the tenth Henry III experienced only slight limitations. The pope established as preferred claims upon the proceeds the tribute owed by the king and 60,000 pounds of Tours, worth approximately £15,000 of sterling,¹⁰ which he granted to Queen Eleanor for the payment of her debts.¹¹ The former was met by

¹ The amount yielded by the tenth of the first year approximated closely the tenth by the valuation of Norwich: Lunt, *Valuation of Norwich*, p. 99; *C.P.R. 1266-72*, p. 189.

² *C.P.R. 1266-72*, p. 268; below, p. 304.

³ *C.P.R. 1266-72*, pp. 165, 166, 189, 199, 247, 330.

⁴ *Ibid.*, pp. 96, 120, 168, 329; Patent Roll, 53 Henry III, m. 10.

⁵ Muniments of Dean and Chapter of Westminster, 73/12376; Cambridge University Library, MS. E e III 60, fol. 189^v.

⁶ Lunt, *Valuation of Norwich*, p. 544; *C.P.R. 1266-72*, pp. 241, 308, 356; *Reg. of W. Giffard*, p. 119.

⁷ 1 July 1268: Wilkins, *Concilia*, II, 21.

⁸ Below, p. 626.

⁹ Florence of Worcester, *Cont.*, p. 202; Wilkins, *Concilia*, II, 19.

¹⁰ In 1255 the rate of exchange was £1 of sterling for £4 of Tours: *Rôles Gascons*, I, 2170. This rate appears to have been fairly constant earlier and later in the thirteenth century, though it began to fluctuate early in the fourteenth: *Close Rolls, 1227-31*, p. 116; *C.P.R. 1232-47*, p. 126; *Liber Quotidianus Garderobae*, p. xiii; Stocks and Bragg, *Market Harborough Parish Records*, p. 18; Exch. K.R. Accounts, 362/25; *Proceedings of his Majesty's Commissioners, 1832-33*, pp. 333, 334.

¹¹ *Regs. de Clément IV*, 420, 484, 786.

an assignment on the tenth of Ireland.¹ When it proved to be unsatisfactory, Ottobon, on 6 February 1268, forbade the distributors and collectors to make any other deliveries from the proceeds of the tenth until Sinitius, the papal collector, should have been satisfied for the tribute.² This prohibition did not tie up the funds for long. On 3 March 1268 the king satisfied Ottobon by the reservation of the tenth from the dioceses of Lincoln and Norwich for the tribute,³ and thereafter the distributors and collectors honored the royal assignments on the tenth of other dioceses as freely as before the prohibition had been issued.⁴ The queen's share was first made a charge upon the tenth of Scotland, but the refusal of the king of Scotland to allow the tenth to be levied from his clergy necessitated its apportionment elsewhere.⁵ At the instance of King Henry the tenth of the province of York was set aside for the purpose,⁶ and later a queen's clerk was appointed one of the local collectors to guard her interests.⁷ This assignment proved to be inadequate for the purpose. On 1 June 1268 the remainder of the tenth of Ireland and of the diocese of Exeter was awarded to the queen,⁸ and later still the tenth of the diocese of Llandaff was added to her portion.⁹

The king began to make requests of Ottobon to pay specified sums from the tenth and to promise to his creditors reimbursement from the tenth several months before the first instalment became due.¹⁰ After the deputy collectors were appointed in January 1267, he began to issue orders to them to make designated payments.¹¹ After the procedure settled down, the king notified Ottobon or the distributors of assignments which he made on the local collectors,¹² and the distributors authorized the assignments.¹³ Sometimes he made the assignment by request to the legate or by order to the distributors, leaving to them the allotment of it to particular collectors.¹⁴ When the legate approved delivery of money

¹ Above, p. 155.

² *Reg. of W. Giffard*, p. 209; *Northern Regs.*, p. 7.

³ Later limited to Lincoln alone: *C.P.R. 1266-72*, pp. 200, 353, 392, 409; above, p. 155.

⁴ *C.P.R. 1266-72*, pp. 220-23.

⁵ *Regs. de Clément IV*, 420, 484; Theiner, *Vet. Mon. Hibernorum*, p. 99; Papal Bulls, 10/5.

⁶ 24 July 1267: *C.P.R. 1266-72*, pp. 91, 175.

⁷ Below, p. 628; *Reg. of W. Giffard*, p. 119.

⁸ *C.P.R. 1266-72*, pp. 234, 313, 409; Rymer, *Foedera*, I, 485. The queen continued to receive the tenth of the province of York.

⁹ *C.P.R. 1272-81*, p. 365.

¹⁰ *C.P.R. 1258-66*, p. 635; *1266-72*, p. 27.

¹¹ *C.P.R. 1266-72*, p. 55; *Cal. of Documents relating to Ireland*, II, 131.

¹² *C.P.R. 1266-72*, pp. 87, 94, 97-99, 101, 107, 112, 113, 163, 169, 170; *Reg. of W. Giffard*, pp. 100, 208; *Ancient Corres.*, VIII, 37; *Exch. K.R. Accounts*, 350/13, m. 1.

¹³ *Reg. of W. Giffard*, pp. 100, 101, 103, 104, 208; *Ancient Corres.*, VIII, 37.

¹⁴ *Reg. of W. Giffard*, pp. 105, 106, 125, 129; *C.P.R. 1266-72*, pp. 82, 86, 89, 91, 93, 117-19.

from the tenth of any diocese, he notified the distributors, who issued the necessary orders to the collectors.¹ During the first year the papal directions regarding the disbursement of the tenth appear to have been observed scrupulously,² but the king was left free to decide which of his creditors should receive the money, barring the papal tribute and the queen's share.

Some of the money Henry appropriated to his immediate expenses. The money taken for this purpose was usually delivered at the wardrobe by royal agents appointed to obtain it from the collectors.³ Only trifling sums received by royal officials were not destined for the wardrobe.⁴ Several of the wealthier taxpayers also delivered what they owed directly to the wardrobe.⁵ The total amount received by the king in this manner for his own use during 1267, as recorded in the patent roll, was only £1316 8s. 8d., which was far less than the sum assigned to his creditors.

After the last instalment of the first year had become due, the administration was completely reorganized. Both the king and the legate were dissatisfied with the yield of the first year. In those dioceses where the valuation of Norwich had been used, it had been the intention to have a new valuation compiled for the levy of the tenth during the next two years and to levy the arrears of the first year to the amount of any excess of the new valuation over that of Norwich. The diocese of Norwich received the only known exemption, and it was limited to the arrears of the first year. Even the new valuation in those dioceses where it had been made was regarded as short of the true value. The new valuation of the income of Waltham was probably fairly typical. It was so little more than the valuation of Norwich that Ottobon accused the abbot and convent of paying for the tenth far less than they ought to have paid.⁶ Since the existing system of administration had failed to produce the desired increase of the assessment, a reorganization was clearly indicated.

It began on 12 December 1267, when Ottobon appointed each bishop to collect the tenth in his own diocese,⁷ either according to the true value or according to the assessment which would be made subsequently by Constantine de Mildenhall, archdeacon of Sudbury, or by Walter Scamel,

¹ *Reg. of W. Giffard*, pp. 100, 101, 103-7.

² The few exceptions are probably due to the loss of royal notifications to the distributors and of the orders of the distributors, or to my failure to find them: *C.P.R. 1266-72*, pp. 55, 86, 92, 93, 108, 170.

³ *C.P.R. 1266-72*, pp. 84, 89, 94, 95, 106, 108, 117, 119.

⁴ *Ibid.*, pp. 119, 176.

⁵ *Ibid.*, pp. 58, 96, 120, 165, 166, 168, 177.

⁶ Lunt, *Valuation of Norwich*, p. 550.

⁷ If the bishopric was vacant, the keepers of it were appointed: *C.P.R. 1266-72*, pp. 174, 240.

archdeacon of Berkshire.¹ The two archdeacons, who were royal clerks, were commissioned not only to make a new valuation but also to collect the tenth in the greater part of the dioceses of the province of Canterbury.² Walter Giffard, archbishop of York, who had been appointed one of the distributors of the tenth when he was bishop of Bath and Wells, and Henry Sampson, rector of St Andrew, Hertford, and a queen's clerk, received a similar commission for the province of York.³ Though these four performed some of the actual work of assessment and collection,⁴ their principal function was the supervision of the local assessors and collectors.⁵ The two archdeacons were further commissioned by the king to audit the accounts of the local collectors. They were paid an annual salary from the tenth.⁶ Early in 1268 the king appointed his clerks, Thomas de Adderby and Guy de Taunton, to assess the spiritualities and temporalities of archbishops, bishops and religious in the dioceses assigned to Walter Scamel, and Simon de Billidon and Aunfrid, rector of Hockley, to do the like in the dioceses assigned to Constantine, awarding to them a fee of £10 for each diocese in which they carried out this task.⁷ He also directed the sheriffs to give aid to Constantine and Walter.⁸ The bishops did not take the place of the deputy collectors who had served previously, but in most dioceses the old deputies were superseded by new ones.⁹ Even these changes did not complete the reorganization. In some dioceses additional commissions of assessors were appointed.¹⁰ The final change was caused by the departure of Ottobon near 1 August 1268.¹¹ A month before he left, he conferred his powers as collector on the archbishop of York.¹²

During 1268 the new assessors were at work, though it may be doubted if all of them were as energetic as Richard de Lyuns, who lost a horse while engaged with the task.¹³ They did not always act in the dioceses to which they had been assigned originally. Guy de Taunton, who was

¹ Commission addressed to the keeper of the bishopric of London: Muniments of Dean and Chapter of Westminster, 73/12376.

² For the dioceses assigned to each, see below, p. 626.

³ *C.P.R. 1266-72*, pp. 173-75.

⁴ Lunt, *Valuation of Norwich*, pp. 544, 545, 547; *Ann. de Dunstaplia* p. 259; *C.P.R. 1266-72*, p. 266.

⁵ *C.P.R. 1266-72*, pp. 180, 189, 206, 264, 268, 306, 307, 337, 345, 346, 348, 429; Muniments of Dean and Chapter of Canterbury, Sede Vacante Reg. III, p. 173.

⁶ *C.P.R. 1266-72*, pp. 185, 186.

⁷ *Ibid.*, pp. 185, 186; Patent Roll, 52 Henry III, m. 29.

⁸ *C.P.R. 1266-72*, p. 183.

⁹ Below, pp. 627, 628.

¹⁰ *C.P.R. 1266-72*, pp. 247, 268, 312, 326, 404.

¹¹ *Ann. de Oseneia*, p. 217.

¹² Wilkins, *Concilia*, II, 21.

¹³ *C.P.R. 1266-72*, p. 312.

appointed to make the assessment in the dioceses placed in charge of Walter Scamel, was associated with Constantine de Mildenhall in the diocese of Lincoln,¹ though he did some of the work in the dioceses named in his commission.² In some dioceses the assessment was compiled by men who were not mentioned in the original commissions of December 1267.³ The assessors, as far as they are known, were mainly king's clerks and royal agents,⁴ who were likely to have had the king's interests more at heart than the local clergy who had been in charge of the assessments compiled the year before. New valuations were certainly made in the dioceses of Chichester, Hereford, Lincoln, London, Norwich, Rochester, Salisbury and Worcester.⁵ In some dioceses supplementary work was done in 1269. In Norwich two king's clerks were commissioned to assess items which had previously been omitted and to collect the tenth therefrom. Later the collectors of arrears in that diocese were also empowered to assess items anew, should it be necessary.⁶ In Canterbury no new assessment was compiled in 1268. In that diocese the collectors used the assessment of 1267, accepting a fine of 100 marks in lieu of the amount by which that assessment fell short of the true value. It was not until 8 November 1268, when the tenth for the second year was past due, that two collectors for the third year were appointed with power to assess the clerical income of the diocese anew. They were also directed to collect the arrears of the first two years calculated on the basis of the new valuation, though for the second year they accepted another fine of 100 marks for not applying their new assessment to the arrears.⁷ What was done in other dioceses with regard to a new valuation in 1268 I have not discovered. The chronicler of Bury assumed that the assessment of 1268 was universal,⁸ but his assumption is subject to exception, since no assessment was made in the diocese of Canterbury in 1268. A new valuation, moreover, was not necessary for the king's purposes in every diocese, since the clergy of some dioceses compounded for the tenth and employed

¹ Lunt, *Valuation of Norwich*, pp. 545-47; *Ann. de Dunstaplia*, p. 259.

² *C.P.R. 1266-72*, p. 247.

³ *Ibid.*, pp. 247, 268, 312, 356.

⁴ The one exception noted was the archdeacon of Hereford, who acted as collector in Hereford during the first two years. He made the assessment in 1268 in the dioceses of Hereford and Worcester, though in the former diocese he was associated with Richard de Lyons: *C.P.R. 1266-72*, pp. 268, 404.

⁵ *C.P.R. 1266-72*, pp. 268, 312, 326, 356, 404; Lunt, *Valuation of Norwich*, pp. 542-48.

⁶ *C.P.R. 1266-72*, pp. 311, 369, 379. In the diocese of Worcester special commissioners were appointed to assess the local income of the abbot and convent of Westminster, which evidently had not been appraised satisfactorily in the previous valuations: *C.P.R. 1266-72*, p. 380.

⁷ *Reg. of W. Giffard*, p. 232; *C.P.R. 1266-72*, pp. 352, 357, 408; Patent Roll, 53 Henry III, m. 18; Muniments of Dean and Chapter of Canterbury, Cartae Antiquae, P 54.

⁸ Florence of Worcester, *Cont.*, p. 202; College of Arms, Arundel MS. 30, fol. 155.

the valuation of Norwich or that of 1267 to raise the required sum.¹ In several of these dioceses, however, the valuation was compiled, and it may have been in all.

The methods employed in the construction of the valuation are not portrayed in abundant detail. In the assessment of temporalities juries of twelve drawn from each hundred were required to give the necessary information,² and sometimes laymen served upon them.³ These methods were the same that had been employed in 1267, and in all probability the practice of that year was followed in all its details in 1268.⁴ The assessors sought to increase the values given to temporalities in the valuation of Norwich by including more items of income and fewer items of expenditure on each manor, and they sought also to bring under assessment the temporalities which had been omitted from the valuation of Norwich. They appear to have been successful, sometimes in the face of opposition and attempts at concealment. The form which the latter might take is illustrated by an incident naively related by the chronicler of Bury St Edmunds. In the diocese of Norwich the bishop compounded for the tenth of the clergy of the diocese for the last two years. He invited the abbot and convent to join in the contract, and they, though fearful that it might encroach upon the liberty of the monastery, accepted the invitation, because they thought that they could deal more easily with episcopal than with royal collectors. The convent put its theory to the test by giving to the episcopal collectors a bribe of 20 marks to leave their revenues within the vill untaxed, but the royal assessors discovered the fraud and assessed them at £100.⁵

In the dioceses where compositions were made for the tenth, the main task of the assessors was the valuation of temporalities. In the dioceses of Lincoln and Salisbury, for example, the composition for the tenth of the whole triennial period was met by the payment for four years of a tenth of spiritualities as assessed in the valuation of Norwich and the payment for three years of a tenth of temporalities as appraised by the royal assessors in 1268.⁶ In the diocese of Norwich the composition for the

¹ Below, pp. 303-5.

² Lunt, *Valuation of Norwich*, pp. 545, 547; *C.P.R. 1266-72*, p. 370.

³ Florence of Worcester, *Cont.*, p. 202; College of Arms, Arundel MS. 30, fol. 155; Wilkins, *Concilia*, II, 19.

⁴ Compare the items given in the valuation of the income of Eynsham in 1268 with the directions given to the assessors in 1267, and also with the items of the income of the same monastery and of the bishop of Rochester in the valuation of Norwich: Lunt, *Valuation of Norwich*, pp. 487, 514-17, 545, 546; *Chart. of Sele*, p. 101.

⁵ College of Arms, Arundel MS. 30, fols. 155, 157.

⁶ Lunt, *Valuation of Norwich*, pp. 550, 551. The two surviving fragments of the valuation in the diocese of Lincoln which I have discovered are assessments of the revenues of monasteries and they contain only temporal income: Lunt, *Valuation of Norwich*, pp. 545-48.

two last years of the tenth was met by payment of a tenth for three years on the items included in the valuation of Norwich and payment of a tenth for two years on the revenues not found in that valuation. The royal assessors in 1268 consequently confined their attention chiefly — though not exclusively — to revenues of the latter type. They assessed both spiritualities and temporalities,¹ but since the valuation of Norwich omitted far more temporalities than spiritualities, they were engaged principally with the assessment of the former. Though the terms of the compositions made in other dioceses are not known in equally full detail,² such indications of the nature of the assessment of 1268 as they supply point to the same emphasis on temporalities.

In those dioceses where no composition was established, both spiritualities and temporalities were assessed anew. In the diocese of Canterbury, where this was done, the assessment was compiled by deaneries, and the instructions issued to the clergy of the deanery of Croydon illustrate the methods employed.³ The clergy of all ranks were cited by Walter Scamel to appear before the collector, Bonetus de Sancto Quintino, on a day set by him, accompanied by such of their subjects as the collector might specify. In his presence they were to declare upon their own oaths, supported by the oaths of their subjects, the true annual value of their monasteries, priories, religious houses, churches, vicarages, dignities, benefices, manors, rents, pensions, fruits and revenues belonging to themselves or to their churches, abbeys, monasteries, dignities, houses, bailiwicks, offices, parsonages, rectories and vicarages. Failure to appear, a fraudulent return, or the concealment of any income would bring upon the delinquent excommunication and interdict. No distinction was drawn between the secular clergy and the religious, as had been done by the bishop of Norwich in 1254, and Rostand's more severe requirement that the taxpayers should declare their incomes under oath was retained. Such methods could not fail to increase the value established by the valuation of Norwich. In that valuation the tenth of the clergy of the diocese of Canterbury was assessed at £400;⁴ in 1269 the clergy paid on the new valuation for the tenth of the third year £1066.⁵ The new valuation of 1269 was also far in excess of the valuation of 1267, the collectors of the tenth in the diocese for that year having satisfied the king by the render of £800.⁶

This ratio of increase over the valuation of Norwich did not hold good

¹ Lunt, *Valuation of Norwich*, pp. 542-44; College of Arms, Arundel MS. 30, fols. 155-57.

² Below, pp. 303-5.

³ Lunt, *Papal Revenues*, II, 160.

⁴ Lunt, *Valuation of Norwich*, p. 95.

⁵ *C.P.R. 1266-72*, p. 357.

⁶ *Ibid.*, p. 408.

in all of the dioceses where compositions were not made. In the diocese of Rochester the yield of the tenth for the second year was £172 compared with a tenth of £93 by the valuation of Norwich. In the diocese of Hereford the collector was acquitted for the tenth of the first two years by delivery of £538 13s. 8d.¹ This gives an annual rate of £269; the assessment of the diocese in the valuation of Norwich was £274.² In some individual cases the increase of the new valuation over that of Norwich was also small.³ Yet the general result was a substantial increase. The surviving portions of the valuation compiled in 1268 and 1269 are too meagre to admit of a detailed comparison.⁴ The chroniclers leave no doubt of their opinion that the new valuation added to the burden of the taxpayers.⁵ It was, moreover, this 'severe assessment' which brought Ottobon into disfavor with the English clergy on the eve of his departure. Though the customary jeer at his full money bags was not forgotten,⁶ the annalist of Osney gave expression to real bitterness in his allusion to the valuation for which he attributed responsibility to the legate. 'Penetrating everything like a lynx,' said the annalist, 'he enrolled the value of the churches of all England, as if in eternal memory, and put away in his writings what he could ascertain by the most exact and diligent inquiry.'⁷ The expression of dissatisfaction was not confined to contemporary historians. In 1269 the heads of religious houses and the lower clergy of the province of Canterbury gathered in convocation registered officially their

¹ *Ibid.*, p. 404.

² It seems probable that the valuation of Norwich was used for the levy of the tenth of the first two years, and that the above figure did not include the excess of the valuation of 1268 over that of Norwich, which would have been levied as arrears for each of the first two years. The assessment of the churches of Newent and Dymock with the chapel of Pentley was £33 in the valuation of Norwich and £33 6s. 8d. in that of 1268: Addit. MS. 15668, fols. 1^v, 71^v.

³ Lunt, *Valuation of Norwich*, pp. 542-51.

⁴ Aside from a few single items, the portions which I have discovered appear in *Valuation of Norwich*, pp. 540-51. The valuation of Bury given there from Harl. MS. 3977 is duplicated in College of Arms, Arundel MS. 30, fols. 155^v-157. The following differences occur:

	<u>Harl. MS.</u>			<u>Arundel MS.</u>		
	£ 9	4s.	0½d.	£ 9	4s.	2d.
Risby						
Herringswell		blank		11	6	3½
Monk Soham		12	1		7	1
Vicarage of Pakenham		omitted		8	0	0
Church of Woolpit	13	6	8	13	0	0
Hinderclay	9	0	0	10	0	0
Vill of Bury		omitted		100	0	0

⁵ Florence of Worcester, *Cont.*, p. 202; Wykes, *Chron.*, p. 225; Lunt, *Valuation of Norwich*, p. 550; College of Arms, Arundel MS. 30, fol. 155.

⁶ Wykes, *Chron.*, p. 219.

⁷ P. 217. See also *Chron. of Monas. of Abingdon*, p. 22.

sense of grievance over the recent heavy assessment.¹ Still more convincing are the large sums which the clergy of several dioceses were willing to pay as compositions in order to escape levy of the tenth on the new valuation.

The terms of the contracts for the compositions, as described by the chroniclers, were simple. The compounders in a given diocese agreed to pay a certain sum and obtained it by levying from the clergy of the diocese for four years a tenth as assessed in the valuation of Norwich.² Actually the provisions of the known contracts were more complicated, and they varied from one diocese to another. The contracts were all alike in certain factors. The bishop, the keepers of the bishopric, the dean and chapter, or the archdeacons promised to pay a stated sum in return for the privilege of using some valuation other than the new one. The king undertook to have the official collectors levy the current tenth and the arrears in accordance with the form prescribed by Ottobon and to deliver it to those who had made the contract. Any portion of the tenth which the king had already received was to be deducted from the stated sum. Any compositions previously made by the king with individual payers were to stand, but the contractors were to receive the sums or credit for them. If Italians of the papal court or others should fail to pay their tenths, they would be distrained by the sheriffs on demand of the contractors, and if that final expedient should fail, the amount of the tenth involved would be allowed to the contractors.³ The principal variations were in the amounts of the compositions, the valuations to be employed, and the arrangements between the contractors and their clergy for raising the specified sums.

The valuations and the methods of levy employed for raising the compositions in the dioceses of Lincoln, Salisbury and Norwich have already been related. In Lincoln the composition for the whole tenth was £9,666 13s. 4d., consisting of the tenth of the bishop put at £400, the tenth of the rest of the clergy put at £3,000 a year, and of a fine of £266 13s. 4d.;⁴ in Salisbury it was £3,000;⁵ and in Norwich it was £4,000 for the tenth of the last two years.⁶ The bishop of Bath and Wells and the dean and chapter of Wells agreed to pay for the tenth of the clergy of the diocese, exclusive of the tenth of the bishops of Bath and Wells and Winchester,

¹ Wilkins, *Concilia*, II, 19.

² Florence of Worcester, *Cont.*, p. 202; College of Arms, Arundel MS. 30, fol. 155; Harl. MS. 3977, fol. 58v; Wykes, *Chron.*, p. 225.

³ *C.P.R. 1266-72*, p. 247.

⁴ *C.P.R. 1266-72*, pp. 315, 330, 331, 427.

⁵ *Ibid.*, p. 295.

⁶ *Ibid.*, p. 354.

£350 4s. ½d. a year for three years and a fine of £333 6s. 8d. The tenth of the temporalities of the bishop of Bath and Wells was fixed at £300. The privilege which they received in return was that the king would exact nothing from the ecclesiastical benefices of the diocese beyond the valuation of Norwich.¹ The implication that the temporalities were to be assessed anew is borne out by the fact that the tenth charged against the clergy by the valuation of 1267 amounted to £362. 4s. 4½d. exclusive of the bishop's temporalities,² while the tenth of the valuation of Norwich for the diocese was only £300.³ Since they would still be short of their total by approximately the amount of their fine, if they paid on the same valuation for three years, it seems probable that they paid a tenth of the temporalities on a new valuation for three years and a tenth of the spiritualities on the valuation of Norwich for four years, as did the clergy of the dioceses of Lincoln and Salisbury. The bishop of Ely compounded for £1,200,⁴ which was more than the triennial tenth of the diocese according to the valuation of Norwich by £399. How the surplus was to be obtained is not explained in the contract. The bishop of Lichfield paid a fine of £600 to have the tenth levied in his diocese for the three years on the assessment made in 1267.⁵ Since the tenth of that assessment was £520 4s. 1d.,⁶ the tenth probably ran for a fourth year to meet the fine. The keepers of the bishopric of London compounded for the tenth of the diocese for three years at £2,200,⁷ but the manner in which they obtained the sum from the taxpayers is unknown.⁸ The bishop of Winchester contracted to pay £3,000 for the tenth of the diocese for three years. The composition was not made until 21 October 1268, when the tenth for the first two years had been collected. It had probably been levied on an assessment made in 1267, since it had yielded £543 6s. 10½d. a year,⁹ and the valuation of Norwich placed the tenth at £460.¹⁰ The clergy of the diocese were thus faced with the necessity of raising £1370 above the amount which their tenth would produce in three years on the basis of the assessment which they had used for two years. How it was done is not

¹ *Ibid.*, pp. 267, 268, 351.

² *Ibid.*, p. 330. My previous assumption that the whole tenth of the first year was paid on the valuation of Norwich is probably erroneous: *Valuation of Norwich*, p. 98.

³ Lunt, *Valuation of Norwich*, p. 95.

⁴ *C.P.R. 1266-72*, pp. 359, 427.

⁵ *C.P.R. 1266-72*, p. 193.

⁶ *Ibid.*, p. 373.

⁷ *Ibid.*, pp. 355, 356.

⁸ The abbot and convent of Waltham, whose tenth was £17 4s. 4½d. by the valuation of Norwich and £21 1s. 10d. by the valuation of 1267, compounded with the keepers for their tenth at £24 yearly for three years: Lunt, *Valuation of Norwich*, pp. 520, 521, 549, 550.

⁹ *C.P.R. 1266-72*, pp. 295, 352, 354, 439.

¹⁰ Lunt, *Valuation of Norwich*, p. 95.

manifest, but it may be deemed probable both that the tenth continued to be levied for more than three years, and that the temporalities were subjected to a new assessment. The bishop of Worcester undertook to pay £400 a year and a fine of £466 13s. 4d. for the privilege of having the valuation of Norwich used in his diocese.¹ Since the tenth of the valuation of Norwich for the diocese was £406, the collection of the tenth for a fourth year would not have met this sum in its entirety. In all probability some of the temporalities which had not been included in the valuation of Norwich were made responsible for the tenth at the assessments established by the assessors who were acting in the diocese in 1268 and 1269.² In the province of York a tenth was levied for four years on both spiritualities and temporalities at the rate of the valuation of Norwich,³ but the terms of the composition were not recorded on the rolls of the royal chancery.

Though the amount which the king obtained for the tenth in several dioceses cannot be determined, the yield is known in enough instances to provide an indication of the extent to which the valuation of 1268 and 1269 exceeded the valuation of Norwich. In the three dioceses of Canterbury, Rochester and Hereford, where no compositions appear to have been arranged, the average annual yield of the tenth was £1,376⁴ compared with an annual value of £767 by the earlier assessment.⁵ The rate of increase was 56 per cent. A comparison of the average annual yield of the compositions established in the dioceses of Bath and Wells, Ely, Lichfield, Lincoln, London, Norwich, Salisbury, Winchester and Worcester with the tenth by the valuation of Norwich gives a similar result. The former was £10,191 and the latter £6,133. The rate of increase was 60 per cent.⁶

The reorganization of the administration at the close of 1267 rendered

¹ *C.P.R. 1266-72*, pp. 269, 296, 297.

² *C.P.R. 1266-72*, p. 380; Prynne, *Records*, II, 1053, 1054.

³ Muniments of Dean and Chapter of Durham, Misc. Charters 4174, 5102, 5108. The spiritualities of Cockersand were assessed at the same rate, but the temporalities were assessed at a rate slightly less: *Cockersand Chart.*, I, pt. 2, 286, 287.

⁴ Above, pp. 301, 302. The annual rate of the diocese of Canterbury was established at £934 by calculating the tenth of the first two years at £800 each and of the third at £1066 and by adding the fine of £133 6s. 8d. paid for the use of the valuation of 1267 for the second year.

⁵ Lunt, *Valuation of Norwich*, p. 95.

⁶ Lunt, *Valuation of Norwich*, p. 105, n. 11. The slight difference in the figures given there is due to the exclusion of the tenth paid by the bishop of Bath and Wells, which is included above. The figure does not represent the whole increase of the burden upon the taxpayers, if reliance may be placed upon the assertion of Wykes that the compounders received more from the clergy than they paid to the king: *Chron.*, p. 225. Whether the remark was based on knowledge or on mere suspicion cannot be determined, but the figures given above for the dioceses of Lichfield and Winchester point to the probability that it was not universally true.

the collection of the tenth, as well as its assessment, more efficient. The changes in the staff of collectors were made with the royal consent,¹ and, in view of the number of the new administrators who were king's clerks or otherwise closely associated with the royal service, it may be surmised that they were undertaken at the royal initiative. Some of the new collectors received commissions from both Ottobon and the king.² Later the king changed collectors freely without making mention of the approval of the papal collector,³ but the survival of a concurrent commission of the archbishop of York in one instance⁴ and an allusion to the existence of a similar document in another⁵ indicate that the sanction of the papal collector was necessary. These collectors who received both papal and royal commissions were correctly styled in royal documents 'executors deputed by the pope, the legate and the king.'⁶ They needed the papal authority in order to employ the ecclesiastical censures with which they ordinarily upheld their powers, but the royal authority strengthened their position greatly. Indeed, the latter made the chief impression upon the clergy, who commonly designated the collectors as king's clerks or royal exactors.⁷ In some of the dioceses where compositions were arranged, the compounders were allowed to collect the tenth by their own agents.⁸ If the experience of the clergy of the diocese of Norwich was typical, the collectors appointed by the compounders were less severe than the royal representatives, but their work was supplemented by the royal assessors and exactors to such an extent that their leniency was of no permanent advantage to the taxpayers.⁹ The supervisors, Constantine de Mildenhall and Walter Scamel, also did much to improve the administration. They not only took part in the assessment and collection themselves,¹⁰ but they also oversaw the work of the local collectors, assisting and directing them¹¹ and auditing their accounts.¹² After the departure of Ottobon, the archbishop of York shared the task of supervision,⁵

¹ *C.P.R.* 1266-72, p. 240.

² *Ibid.*, pp. 173-75, 183-86.

³ *Ibid.*, pp. 212, 240, 254, 311.

⁴ *Ibid.*, p. 302; *Reg. of W. Giffard*, pp. 232, 233.

⁵ *C.P.R.* 1266-72, pp. 311, 313.

⁶ *Ibid.*, pp. 247, 267, 269, 295.

⁷ Florence of Worcester, *Cont.*, p. 202; Wilkins, *Concilia*, II, 19, 20. Even a royal document referred to them as king's collectors: *C.P.R.* 1266-72, p. 189.

⁸ *C.P.R.* 1266-72, pp. 354, 389, 403.

⁹ Above, p. 300; *C.P.R.* 1266-72, pp. 311, 313, 369, 370, 379; Harl. MS. 645, fol. 221.

¹⁰ Above, pp. 297-99; *C.P.R.* 1266-72, pp. 266, 298, 307, 309, 356.

¹¹ *C.P.R.* 1266-72, pp. 173, 180, 189, 337; Lunt, *Papal Revenues*, II, 160, 161.

¹² *C.P.R.* 1266-72, pp. 191, 201, 330, 351, 352, 373, 404, 410, 427, 439; Chancery Misc., 19/2, no. 19.

¹³ *C.P.R.* 1266-72, pp. 295, 313; *Reg. of W. Giffard*, pp. 163, 221, 232.

but he was much less active than Constantine and Walter. The interest of the collectors in their work, like that of the assessors, was further assured by rewarding their services from the proceeds of the tenth,¹ and by allowing to them any exceptional expenses which they found it necessary to incur.²

The new system of collection caused the proceeds of the tenth to flow into the royal coffers more rapidly. Items from the tenth of the second year began to be received at the wardrobe on 8 March 1268,³ and, though the collectors of the third year were responsible for delivery of the tenth in equal portions on 2 February and 24 June, 1269,⁴ payments began to arrive as early as 3 November 1268.⁵ The performance of the collectors of the third year in the diocese of Canterbury, who rendered their final account and obtained their acquittance on 19 July 1269,⁶ was remarkable for its celerity. Some measure of the improvement effected in the administration by the reorganization is supplied by the fact that the collectors of the first year in the same diocese did not account until 12 February 1270.⁷ Between 12 April 1269 and 11 July 1270 the collectors and compounders in all except eight dioceses accounted to the royal auditors.⁸ Most of the accounts were final, though a few were incomplete.⁹ Of the eight missing accounts, four probably were not rendered to the royal auditors because they were for the dioceses in which the tenth was assigned to the queen,¹⁰ and only the four for the poor Welsh dioceses were lacking on account of the tardiness of the collectors.¹¹

Though the accounts which have been preserved are mere summaries given in the form of acquittances issued by the auditors,¹² they provide sufficient data to demonstrate that the system of accounting for clerical subsidies later employed at the exchequer¹³ was already established in its main outlines. The collector was charged with the amount displayed in

¹ *C.P.R.* 1266-72, pp. 185, 186, 239, 247, 266, 268, 298, 302, 326, 354, 357, 404.

² *Ibid.*, pp. 180, 312, 351, 354, 404.

³ *Ibid.*, p. 202. I have not found when the instalments were due from the payers.

⁴ *Ibid.*, p. 302.

⁵ *Ibid.*, pp. 297, 298, 307-9.

⁶ *C.P.R.* 1266-72, p. 357.

⁷ *Ibid.*, p. 408.

⁸ *Ibid.*, pp. 330, 351-55, 357, 373, 404, 408, 410, 427, 439.

⁹ Namely, Chichester, Hereford, Rochester, Salisbury and Winchester.

¹⁰ Namely, Carlisle, Durham, York and Exeter. See *Reg. of W. Giffard*, p. 119; Muniments of Dean and Chapter of Durham, Misc. Charter 4604.

¹¹ The bishop of Llandaff still owed the whole sum due for the ecclesiastical benefices of his diocese in 1280: *C.P.R.* 1272-81, p. 365.

¹² A copy of an original is Chancery Misc. 19/2, no. 14. Those entered upon the patent rolls are *inspeximi*.

¹³ Article on 'Collectors of Clerical Subsidies' to appear in volume II of *The English Government at Work*, edited by Willard and Morris.

whatever valuation was used, credited with any deliveries to the wardrobe or issues made on royal assignments for which he could produce tallies or other acceptable vouchers, and allowed to deduct from the charge against him any items due from payers who had been granted exemption and any expenses which the auditors approved. If arrears were still owed by taxpayers, the government took over their collection and ordered the bishop or the sheriff, depending upon whether they were due on spiritualities or temporalities, to obtain them by sequestration.¹ The exempt payers, whose tenths the collectors were permitted to deduct from the charges against them, included not only those mentioned in the papal bull, but also several individual payers named by the king, the pope or Ottobon. They were the cardinals, Sinitius, the legate's brother, Theobald, archdeacon of Liège, and several monasteries.² The collectors were also credited with the several payments made to the king directly by the taxpayers.³

In those dioceses where compositions were established, the government helped the compounders to recover any debts owed by the taxpayers. When the composition had been paid to the king in full, special collectors of arrears were appointed,⁴ and always royal sheriffs and bailiffs had orders to aid the collectors on their demand with compulsory levy upon the goods of the debtors.⁵ In one instance they were ordered also to empanel juries for the provision of any evidence needed by the collectors for the assessment of any item of the tenth.⁶ The exaction of arrears was pursued rigorously in all dioceses. The collectors had power not only to employ ecclesiastical censures as representatives of the pope⁷ and to set in motion process of distraint by invoking the willing secular arm,⁸ but in their capacity as royal agents they also forced delinquent debtors to pay an extra four pence on every mark of arrears due according to the last and highest valuation. It gives no cause for wonder that the clergy accused the king of 'converting a grace into ingratitude.'⁹

In the disposal of the proceeds the king acted with greater freedom after 1267. Even before the departure of Ottobon, he began to address writs of assignment to the collectors without giving notice to Ottobon or

¹ *C.P.R. 1266-72*, pp. 330, 351, 354, 373, 404, 408, 410, 427, 439.

² *Ibid.*, pp. 53, 199, 300, 330, 350, 360, 363, 419, 420; *Memorials of Ripon*, II, 7.

³ *C.P.R. 1266-72*, pp. 189, 192, 193, 329, 338, 351, 405, 478.

⁴ *Ibid.*, pp. 369, 428, 432, 437; 1272-81, p. 11.

⁵ *C.P.R. 1266-72*, pp. 392, 393, 427, 428, 437.

⁶ *Ibid.*, pp. 369, 370.

⁷ Above, pp. 293, 297, 298; Lunt, *Papal Revenues*, II, 160, 161; *Reg. of W. Giffard*, p. 163.

⁸ Above, p. 293; *C.P.R. 1266-72*, p. 329.

⁹ Wilkins, *Concilia*, II, 19, 20.

the distributors.¹ After the legate transferred his powers to the archbishop of York, the board of distributors fell into desuetude, and the king used the money without other limitation than that imposed by the preferred claims of the pope and the queen.

The total yield of the tenth can only be estimated.² The receipts from the dioceses of Bath and Wells, Canterbury,³ Ely, Lichfield, Lincoln, London, Salisbury,⁴ Winchester and Worcester⁵ for the three years were £27,318 7s. 8½d. The receipts of the first year from Chichester, the first two years from Hereford, and the last two from Norwich and Rochester⁶ added £5,194 18s. 4d. to the known yield. The tenth for the remaining years in these dioceses and for the three years in the dioceses for which accounts are lacking calculated on the valuation of Norwich was over £11,000. Since the annual yield of the tenth levied from 1267 to 1269 exceeded the tenth of the valuation of Norwich by 50 to 60 per cent in the dioceses where the figures are known, the total produced by the tenth was probably somewhere between £44,000 and £49,000.

In the clerical opposition to this tenth a significant change of attitude becomes apparent. The papal subsidies which began late in the pontificate of Gregory IX and continued under Innocent IV were opposed by the English clergy as papal taxation. When this opposition culminated in 1245 and 1246, it received the support of the king. The withdrawal of that support lost to the clergy their immediate objective, but for a long time thereafter the popes rarely requested subsidies or imposed income taxes for themselves. After Henry III ceased to oppose the papal taxation of the clergy, he soon swung all the way over and sought from the apostolic see the taxation of the English clergy for his own advantage. The taxes subsequently imposed by Innocent IV and Alexander IV were levied nominally in behalf of the king, but they were actually of benefit only to the papacy. The clerical opposition of this epoch was directed against both pope and king. In the complaints called forth by the tenth decreed by Clement IV the papacy received little criticism. One chroni-

¹ *C.P.R.* 1266-72, pp. 180, 182, 189, 196, 199-201, 204, 206-10, 212-18, 222-24, 226, 228, 232-34, 238. Notice was sent sometimes: *ibid.*, pp. 178, 190-92, 195, 197, 201, 215, 232, 234; *Reg. of W. Giffard*, pp. 129, 130.

² The receipts are not entered in the surviving records of the exchequer and the wardrobe, and the entries in the patent rolls are not complete.

³ Based to a slight extent upon estimate: above, p. 305, n. 4.

⁴ Based upon the assumption that the composition was paid for the third year as it was for the first two.

⁵ Based upon the assumption that the composition and fine were paid.

⁶ Based upon the supposition that the yield for the third year was the same as for the second, which was levied on a valuation made in 1268.

cler ventured a mild protest against this use of the *plenitudo potestatis*,¹ but the other chroniclers and convocation aimed their shafts at the king. Though the tax was levied by papal authority, it was of benefit only to the king. During the last two years of its exaction, moreover, it was practically administered by royal agents. The increased weight of the assessment, the comprehensive inclusion of temporalities, the use of laymen in making the assessment and the severity of the assessment and collection were, as the abbots, priors, rectors and vicars of the convocation of Canterbury represented to the bishops of the province in 1269, 'gravamina per regios exactores nobis illata.'² The fundamental grievance was the use of royal exactors. The king was the principal target of the clerical displeasure roused by the tax.

¹ Wykes, *Chron.*, p. 213.

² Wilkins, *Concilia*, II, 19.

CHAPTER VI

TWO CRUSADING TENTHS LEVIED DURING THE REIGN OF EDWARD I

1. SEXENNIAL TENTH IMPOSED IN 1274

THE first income tax imposed upon the English clergy by papal mandate during the reign of Edward I had for its purpose the promotion of a crusade. It was decreed in 1274 by the second council of Lyons at the instigation of Gregory X. The English opposed the enactment of the decree. Though the participation of Gregory in the crusade of their princes and the assistance which he had given to the Christians in the Holy Land after his assumption of the papal tiara¹ attested the sincerity of his enthusiasm for the crusading cause, the English, who still remembered the tenth which had been imposed by Innocent IV for a crusade and used by his successor to further the temporal interests of the papacy in Sicily, faced Gregory's projected taxation with a skepticism born of experience. They also felt that the biennial tenth which they had just paid to their king and his brother at Gregory's request constituted their fair share of a contribution to the cause. In view of these sentiments, the envoys sent to the council to represent officially the king, the barons and the community² were instructed to resist any attempt to tax English benefices in aid of the Holy Land,³ on the ground that a tax levied for that purpose would eventually be converted to other uses, particularly if the apostolic see should appoint the collectors of it.⁴ At the council the subject of taxation was first broached by the pope at informal consultations held with representative prelates between the first session on 7 May and the second on 18 May. The conversations led to the proposal at the sec-

¹ Above, p. 158; *Regs. de Grégoire X*, 159, 343-48, 356-59, 362-64.

² The envoys were divided into two groups, one representing the king and the other the barons and the community: Cole, *Documents*, pp. 358-60; Cotton MS. Cleop. E.1, fol. 179⁺⁺. Both are official records of the appointment, but the latter is fuller than the former. Both groups received their expenses from the exchequer: Exch. of Receipt, Misc. Roll 12, m. 1; Issue Roll 18, m. 1; Devon, *Issue Roll of Thomas de Brantingham*, p. xxxiii. Letters of credence for the envoys were issued on 27 March 1274: *C.P.R. 1272-81*, p. 46; Rymer, *Foedera*, I, 510.

³ The papal letters announcing the council specified the affairs of the Holy Land as the business to be considered and said nothing of taxation: *Regs. de Grégoire X*, 160; Rymer, *Foedera*, I, 503. It required no great perspicacity to foresee that the council would follow the precedents set by the councils of 1215 and 1245 and meet the issue by the decree of a universal impost on clerical income. The instructions of the envoys consisted largely of the reasons which they were to put forward for opposition to actions which it was feared might be proposed at the council.

⁴ Cole, *Documents*, p. 358.

ond session of the constitution *Zelus fidei*, which provided for the payment by all members of the clergy of a tenth of their incomes for a period of six years beginning on 24 June 1274. The annual payment was to be made in equal portions at Christmas and Midsummer, and excommunication was pronounced against any who should hinder the payment.¹ The part taken by the English envoys in the debate is not disclosed in the extant accounts of the council,² but English opposition was voiced from an unexpected quarter. Among the large number of English clergy present was Richard Mepham, dean of Lincoln.³ He had declined to serve as one of the royal proctors to the council, though he had promised to aid the proctors secretly.⁴ Yet it was he who presented a memorandum opposing the proposed tax for the reasons that the property of the English clergy had been devastated by the civil war and burdened by recent taxation. This solitary protest brought a reprimand from the pope, who deprived the dean of his benefices for three days,⁵ but it failed to sway the council, which approved the constitution unanimously.⁶

The conciliar decree defined the tenth only in general terms and left to the pope the detailed regulation of its scope, assessment, levy and disposition. He utilized his discretion to grant exemption from the tenth to the Templars, the Hospitallers, the Teutonic Knights, the Augustinian enclosed sisters, the hospital of St Anthony at Vienne, and those clerks who were pledged to go on the next crusade.⁷ The tenth of the Cistercians and the Premonstratensians he reserved to meet his own expenses on the crusade,⁸ but he soon changed this policy as far as it related to the Cistercians. To them he granted exemption from the tenth,⁹ though he

¹ 'Brevis Nota,' *Acta Conciliorum*, ed. Hardouin, VII, 687, 688. The constitution was not included in the official collection of constitutions published by Gregory X on 1 November 1274: *Regs. de Grégoire X*, 576; Hefele, *Conciliengeschichte*, VI, 133. It appears in three English cartularies: Harl. MS. 1708, fol. 238; Lambeth Palace Library, MS. 499, fol. 305; Muniments of Dean and Chapter of Durham, Locellus I, 60*. It is published by Finke, in *Konzilienstudien*, pp. 113-16.

² The 'Brevis Nota' is our main source of information. The chronicles contain only brief notices: Finke, *Konzilienstudien*, p. 2. For a list of English chronicles which mention the council see Lunt, 'Papal Taxation,' *E.H.R.*, xxx, 402, n. 27.

³ For the English clergy who attended the council see *C.P.R. 1272-81*, pp. 42, 44-50; *C.C.R. 1272-79*, pp. 116, 117; *Reg. Malmesburiense*, II, 362; Hutchinson, *History of Durham*, I, 222; II, 80; *Liber de Bernewelle*, p. 204; William of Newburgh, *Cont.*, p. 566; and the chronicles mentioned in the preceding note.

⁴ Cole, *Documents*, p. 358; Cotton MS. Cleop. E I, fol. 179+++.

⁵ Hemingburgh, *Chron.*, II, 2-4; Lambeth Palace Library, MS. 22, no. 3, sub anno 1274; Corpus Christi College, Cambridge, MS. 194, no. 6, fol. 177v. For an estimate of the reliability of these chronicles see Lunt, 'Papal Taxation,' *E.H.R.*, xxx, 402, n. 30.

⁶ *Regs. de Grégoire X*, 494.

⁷ *Ibid.*, 498, 630; Potthast, *Reg.*, 20942, 20946, 20948, 21021.

⁸ 31 July 1274: Langlois, *Philippe III*, pp. 419, 420.

⁹ 20 August 1274 and 1 April 1275: Potthast, *Reg.*, 20905, 21012; Harl. Charter 111, A 24.

required them to pay for the privilege a sum not exceeding 100,000 pounds of Tours to be raised by themselves.¹ The Cistercian houses of England contributed to this sum the amounts apportioned by their general order.²

The pope prescribed the methods of assessment and collection in the commissions of the collectors and in a series of supplementary letters. He entrusted the work in England to Raymond de Nogaret and John of Darlington.³ The former was a Gascon, prior of St Caprais at Agen, and a papal chaplain,⁴ who had been nuncio and general collector of papal dues in England since 1272.⁵ The latter was an English Dominican of high repute for his theological and philosophical writings.⁶ He had been confessor to Henry III and at times an active and prominent member of his council.⁷ His appointment may have been a concession to the prejudice against the papal use of foreign collectors which had been manifested not only in England⁸ but in other countries as well.⁹ They were instructed to collect the instalments of the tenth at the dates set by the council through the agency of two of the local clergy in each diocese. These agents were to be selected with the advice of the bishop and two canons of the cathedral chapter. Their duties were to collect the tenth, to keep the proceeds subject to the orders of the collectors and to render regular accounts to the collectors, and they were required to take oath to perform these tasks faithfully. The collectors were directed to travel about the kingdom inspecting the work of their deputies, whom they could change at will. Opponents they could compel with ecclesiastical censures. The collectors were expected to report frequently to the pope the progress of the work, the amounts received and the places of deposit. Both the collectors and their deputies were required to serve for remis-

¹ Hirsch-Gereuth, *Studien*, p. 84, notes 106, 107.

² Harl. MS. 6603, fol. 192^v. In 1276 the English Cistercians paid a 'curialitas' of £1000 to Edward I: Harl. MS. 6603, fol. 193. No connection between it and the tenth is apparent. Miss Graham cites it to refute a statement that the Cistercians were exempt from national taxation, which she seems to attribute erroneously to me: *E.H.R.* XLII, 423.

³ Dated 20 September in the papal register, according to Bliss, and 21 October in a notarial copy published in England: *Cal. Pap. Regs. Letters*, I, 449; *Reg. of W. Giffard*, pp. 274-76.

⁴ John de Oxenedes, *Chron.*, p. 244; *Flores Historiarum*, III, 32; Florence of Worcester, *Cont.*, p. 211; Lunt, 'A Papal Tenth,' *E.H.R.*, XXXII, 50. The last is an extract from *Collectorie* 213, containing the accounts of the collectors. It is cited hereafter as *E.H.R.*, XXXII.

⁵ Below, p. 618.

⁶ Richardson, *Borderer's Table Book*, I, 83; Quétif and Échard, *Scriptores*, I, 395, 396; *D.N.B.*, xvi, 61-63.

⁷ Matthew Paris, *Chron. Maj.*, v, 549; Rishanger, *Chronicon*, p. 89; Trivet, *Chron.*, p. 296; *C.P.R.* 1266-72, index, sub 'Derlington, John de.'

⁸ Below, pp. 573, 574.

⁹ Gottlob, *Kreuzzugs-Steuern*, pp. 205, 206.

sion of sins, and they were rewarded with exemption from the tenth. The principal collectors were also made sharers of the indulgence granted to participants in the crusade. Both the principals and their assistants were allowed to deduct from their receipts reasonable expenses, which included in the case of the former, the wages and fees paid to messengers, scribes and notaries and the cost of parchment.¹ The principal collectors were also granted wages of three shillings a day from the tenth.²

The instructions for making the assessment were issued in the bull *Cum pro negotio*,³ which was cited contemporaneously as 'the declarations concerning doubts.' They were far more detailed than any similar instructions which the papacy had previously issued to collectors of income taxes in England,⁴ or even than the directions issued by the English collectors to their deputies in 1229, 1254 or 1255,⁵ but they did not alter the fundamental principles of procedure which had been observed in compiling these earlier valuations. They were of abiding importance, because they continued to be employed with only slight modifications for the assessment of clerical income during the remainder of the middle ages.⁶

The provisions designated several classes of persons and income which were not required to pay the tenth. Hospitals were not to be taxed on the revenues converted to the use of the poor and the sick. Nuns and other religious persons whose incomes were so slender that they had to be supplemented by the public begging of alms for the sustenance of life were to be exempt. Secular clerks whose benefices were worth no more than six marks were not liable for the tenth, unless one clerk held a plurality of benefices yielding a combined total of more than six marks. Other revenues from which the tenth was not due included the pittances of monks, bequests to churches for the purpose of buying perpetual rents, voluntary

¹ *E.H.R.*, xxxii, 51-55.

² *E.H.R.*, xxxii, 63. In fact, both received lump sums, and John received wages of 3s. 6d. a day. Raymond was paid no wages from the tenth: *E.H.R.*, xxxii, 51-55; *Cal. Pap. Regs. Letters*, i, 452. Raymond collected 8s. a day of procurations in his capacity as nuncio and general collector: Worcester Diocesan Registry, Reg. of Giffard, fol. 37.

³ 5 November 1274: Stowe MS. 930, fols. 31-33v; Harl. MS. 1708, fols. 240-42; Society of Antiquaries, MS. 60, fols. 241-43v; Muniments of Dean and Chapter of Canterbury, Reg. I, fols. 164-65v. A copy addressed to a collector in Italy appears in *Regs. de Grégoire X*, 571.

⁴ A large part of the provisions had been used to assess a tenth imposed in France by Clement IV in 1267: *Regs. de Clément IV*, 464, 595; *Regs. de Grégoire X*, 571.

⁵ Above, pp. 248, 257-60.

⁶ They were issued again at the request of the English collectors by Nicholas III on 13 September 1278: K.R. Memo. Roll 109, m. 121, 121v (where the writer ascribes the bull to Nicholas IV); Cotton Fragments xiii, fols. 6-7v; Palgrave, *Antient Kalendars*, i, 83, no. 13. They were used by Honorius IV for the levy of a tenth in Italy and by Nicholas IV for the English valuation compiled in 1291-93: *Regs. d'Honorius IV*, 60; *Regs. de Nicolas IV*, 6693. Boniface VIII included them in the Decretals: *Extravag. Commun.* lib. iii, tit. vii, cap. unicum. For the modifications see Lunt, *Papal Revenues* ii, 162-69.

gifts and legacies to ecclesiastical persons, procurations received by prelates in the form of victuals, oblations to the fabrics of churches, collections made by a community for such purposes as the maintenance of lights in the church or the support of the poor, fish from ponds or beasts from warrens which were eaten or given away, the fruits of trees and gardens which were consumed and not sold, and likewise the consumed fruits of flocks and animals, provided they belonged to ecclesiastical persons and not to churches.

Many revenues from which the tenth was due were listed specifically in order to dispel any doubts which might arise concerning them. Procurations received in money were taxable, even if they were remitted to the debtors. Legacies left to ecclesiastical persons by reason of their churches or offices were to be included in the assessment, unless their purpose was the purchase of endowments. The tenth was to be paid on the fruits of trees, gardens, flocks and animals which were sold, and on the fruits of flocks and animals used for food, if they belonged to churches.¹ Other tithable revenues which were named without qualifications were the profits of jurisdiction, ovens and mills, oblations paid for marriage or funeral services, for burials or for giving penances, fees derived from the seals of prelates, the fines paid by excommunicates, and daily distributions made in canonical hours. Clerks in exile were not to be exempt from the tenth.

The regulations were occupied largely with the deductions which might be allowed in the calculation of income. The general principle was that which had been enunciated by Rostand in 1255 and applied to temporalities by the English assessors in 1267 and 1268.² Only necessary expenses might be deducted, and they were defined as those without which the revenues could not be received, such as the cost of plowing, cultivating and harvesting. The cost of ditching which would make the land permanently more productive, expenditures on the repair of buildings, even though they should be necessary in order to make the buildings fit receptacles for the fruits on which the tenth was due, and sums spent on fortifications and defense were cited as expenses which might not be deducted.³ A distinction was thus drawn approximately between costs of operation and expenditures for permanent improvements. Other illustrations of expenses which might not be deducted were procurations paid in kind, debts owed by the taxpayer, and salaries paid to a vicar or farmer of a benefice by a holder who did not fulfil the legal requirement of resi-

¹ This interpretation may be open to question.

² Above, pp. 293, 300; Lunt, *Valuation of Norwich*, p. 86.

³ I think that my earlier interpretation of the last clause was erroneous: *Valuation of Norwich*, p. 125.

dence. Further expenses which might be deducted were salaries paid to officials, judges or others conducting courts, excepting payments in the form of clothing and food, and the salaries paid to chaplains by a rector whose parish was too large in area or population to be served adequately without such assistance, excepting any part of the remuneration taking the form of board or lodging, and excepting entirely rectors with more than one benefice.

Certain types of revenues required special treatment. The tenth was to be paid from woods, pannage, herbage and the like not sold regularly, only if a sale took place while the tenth was current. In such a case the tenth was to be estimated on the rental value of the portion sold. If ponds and fisheries were sold, the price of the sale was divided by the number of years since the last sale, and multiplied by the number of years of the duration of the tenth to determine the amount on which the tenth should be paid. If, for example, the price was £100 and the number of years since the last sale five, the tenth due for the whole six years would be £12. Game preserves and underwood were to be assessed in the same manner.

The assessment of priories, granges, houses, revenues, pensions or rents held from monasteries or churches by any persons was a complicated business. If such things were obtained as benefices or favors, the recipients owed the tenth thereon. If they were held by a contract in which each of the parties sought to better his condition, the lessor was bound to pay the tenth on the farm which he received.¹ If favor was intentionally shown to the lessee in the contract by leasing the property to him for less than it was worth, the lessee would pay the tenth on the value of the favor and the proprietor on the remainder. If such properties were granted in remuneration of service rendered or to be rendered, the grantor was to be held responsible for the tenth. The expenses of monks who had to be kept by the recipient of a priory, grange or house were not to be deducted if the recipient held by benefice or favor, but if he held by contract the estimated cost of the maintenance of the monks was to be included in the sum on which the monastic lessor had to pay the tenth. If the lessee transferred his rights to another, the new holder became responsible for whatever tax was owed by the original lessee.

The assessors were required to leave to the payer the choice of paying the tenth either on the revenues actually received each year or on the annual value of his revenues as established by common estimation at the beginning of the period. If the option was not exercised, the latter

¹ If the contract was for a life interest in return for a fixed sum, the proprietor would pay the tenth on the estimated annual value.

method was to be used. Once either method had been elected, no subsequent change to the other was to be permitted.¹ Those who chose the former method, if they held benefices which did not require personal residence, could sell the revenues therefrom and pay the tenth on the price received annually.

The collectors were ordered to settle in the light of these declarations whatever doubtful issues they could decide readily, and to seek and await a papal decision on any application of the regulations which should perplex them. If they should suspect any one of paying notably less than the actual tenth of his revenues, they were to notify the pope, who would appoint with the advice of the diocesan a commission of investigation. If the inquiry should verify the suspicion, the payer could be excommunicated by name, unless he were a bishop, abbot or other honorable ecclesiastical person. Ecclesiastics of such high rank were to be left to their consciences, except for the general sentence pronounced against those paying intentionally less than a tenth. The collectors could, however, publish excommunication generally or specifically against those causing fraud in the estimation of the tenth.

The bull also gave additional directions with regard to the collection. It forbade the collectors to make compositions with the payers. Payment must be accepted in the money current in the land, but payment in kind was prohibited. The collectors were to pronounce sentence of excommunication against any paying the tenth less than in full, or not at all, or not at the prescribed terms, or not according to the assessment of the collectors, or committing fraud in the payment, or intentionally hindering a payment, and they were to order those under the sentence to be avoided by all. If any should prove contumacious, the collectors could use further compulsory powers, but they were not to invoke the aid of the secular arm until such time had expired as was customary in cases of contempt of ecclesiastical censures.² If those under sentence should give satisfaction, the collectors could absolve them and give them dispensation for any irregularities committed while the sentence had been in force.³

The collectors did not begin their work in England until after the first payment of the tenth was past due. On 31 January 1275, or thereabout, they sent copies of their commission to the several bishops for publication

¹ This provision and the one concerning the secular arm given below are preserved in Chancery Misc., 19/3, no. 4.

² In England this period varied from 40 to 60 days: *E.H.R.*, xxxii, 88.

³ For further commentaries on some of the terms of this letter see Gottlob, *Kreuzzugs-Steuern*, pp. 211-17; Boutaric, *France sous Philippe le Bel*, pp. 289, 290; Lunt, *Valuation of Norwich*, pp. 140-42, 153-55.

and asked for nominations from which they could select their deputies.¹ By 24 March the deputies in the diocese of Lincoln were collecting the payments which had been due on the preceding Christmas. Since the new valuation had not yet been made, these payments were accepted with the understanding that if they were found to fall short of the new assessment when it should have been established, the payer would be responsible for the balance.² The second instalment also fell due before the assessment was begun, but meanwhile the pope had sent to the collectors a new command to collect the forthcoming instalment of the tenth on the basis of estimates made by the taxpayers in accordance with the terms of the bull concerning doubts.³ Thus the taxpayers of necessity established the extent of their liability by 'way of conscience.'⁴ The collectors, however, did not regard these returns as final, and they accepted the payments due on 24 June subject to the same limitation which they had applied to the renders of the first instalment.⁵

The collectors finally made the new valuation early in 1276.⁶ Before that time they had been given additional powers by the pope. On 30 August 1275 they were authorized to establish the true value of the taxable revenues by the oaths of any whose testimony they should desire, or in any other manner which seemed to them expedient.⁷ The discretion given them by the bull concerning doubts was thus increased enormously. On 27 October 1275 the pope appointed Gerard de Grandson, bishop elect of Verdun, a collector of the tenth, giving to him still further power.⁸ Gerard did not supersede Raymond and John, but he was accorded superior authority.⁹ He could not only utilize all of the powers conferred upon the other two collectors, but he was also to see that they exercised

¹ *Reg. of W. Giffard*, pp. 274-76; Worcester Diocesan Registry, Reg. of Giffard, fol. 49^v. Their royal safe-conduct was dated 1 March 1275: *C.P.R. 1272-81*, p. 82.

² *Ann. de Dunstaplia*, pp. 264, 267.

³ *In quibusdam nostris*, 6 April 1275: Worcester Diocesan Registry, Reg. of Giffard, fol. 58^v. The text, which appears to be corrupt, is not free from ambiguity. On 17 May the collectors ordered the bishops to publish the bull.

⁴ *E.H.R.*, xxxii, 69.

⁵ *Ann. de Dunstaplia*, pp. 264-67; Muniments of Dean and Chapter of Ely, Misc. Charters, Chapman nos. 110a, 110b; of Durham, Misc. Charter 4272.

⁶ All of the work which can be definitely dated was done in January and February: *Ann. de Dunstaplia*, p. 267; Lunt, *Valuation of Norwich*, p. 620; *Chron. Petrobургense*, p. 21; Bodleian Library, MS. Rawlinson B 336, p. 196. In some chronicles it was placed in the annal for 1275, but events before 25 March 1276 were placed in that annal: Cotton MS. Tiberius D vi, pt. 2, fol. 54; College of Arms, Arundel MS. 30, fol. 163; *Memorials of St Edmund's*, III, 32; Florence of Worcester, *Cont.*, p. 215; *Liber de Bernewelle*, p. 199. In the last events are in chronological order, and the account of the assessment follows an event of 28 December.

⁷ *E.H.R.*, xxxii, 64, no. 9.

⁸ *E.H.R.*, xxxii, 61, no. 8.

⁹ *E.H.R.*, xxxii, 68.

their similar powers properly. He was, indeed, to require of them an oath to perform their duties prudently and zealously. He was particularly charged to survey the work of the deputies and to make any changes in the personnel of the staff which he might deem desirable. He was also empowered to compel by means of ecclesiastical censures, against which there could be no appeal, archbishops, bishops, abbots, and all other prelates and ecclesiastical persons to reveal the truth concerning the annual value of their incomes under oath.¹ Apparently the choice of methods of valuation left to the taxpayers could be superseded entirely at his option. Gerard was further authorized to levy procurations of eighteen shillings a day from prelates and religious communities.²

Though these new powers enabled the collectors to compel the clergy to testify to their incomes under oath, they did not always exercise the power. Indeed, according to their own statement, they gave to taxpayers a choice of three methods of assessment. The only one of the three which they named was the 'way of conscience,'³ but the other two must have been by the oath of the taxpayer or by the common estimation of a jury. Their statement did not mean, however, that they allowed every taxpayer to select the one of the three methods which he preferred. At Bury St Edmunds, for example, the abbot was permitted to assess his income on his conscience,⁴ but the joint revenues of the abbot and convent were compulsorily assessed on the oath of five members of the convent.⁵ Raymond and John, who assessed the revenues of many monasteries themselves, sometimes allowed an option between the oath of the payers and common estimation,⁶ but in other instances they compelled the monks to swear to the value of their own incomes.⁷ Not even the honorable ecclesiastics specified in the bull concerning doubts were always permitted to use the 'way of conscience.'⁸ The deputy collectors, who assessed the revenues of the larger part of the clergy,⁹ summoned the

¹ *E.H.R.*, xxxii, 64, no. 10.

² *E.H.R.*, xxxii, 70, no. 15.

³ *E.H.R.*, xxxii, 69.

⁴ *Pinchbeck Reg.*, i, 445. So also the priors and convents of Ely and Durham: Muniments of Dean and Chapter of Ely, Misc. Charter, Chapman no. 109; of Durham, Misc. Charter 4248.

⁵ Florence of Worcester, *Cont.*, p. 215; College of Arms, Arundel MS. 30, fol. 163.

⁶ *Gesta Abbatum*, i, 468.

⁷ College of Arms, Arundel MS. 30, fols. 163, 213; *Chron. Petroburgense*, p. 21; *Reg. de Jean XXI*, 104. In some instances it is not indicated whether the monks took oath voluntarily or compulsorily: *Reg. of G. Giffard*, ii, 143, Cotton MS. Tiberius D vi, pt. 2, fol. 54. At Dunstable they refused to accept the oath of the canons as the means of valuation: *Ann. de Dunstaplia*, p. 267.

⁸ *Reg. de Jean XXI*, 104.

⁹ Lunt, *Valuation of Norwich*, p. 620; Ancient Corres., xvii, 45. In the diocese of Salisbury, on the other hand, the assessors were Albertinus and John de Bedford, who do not appear to have been the local collectors: *Reg. of Pontissara*, i, 362; below, p. 630. Possibly they were among the original deputies whom Gerard dismissed.

clergy of a rural deanery to meet them on a given date, warning each to be prepared to certify the true value of his revenues and, if necessary, to swear to the certification. Apparently the deputies exercised their discretion as to whether a personal oath would be required. They warned the payers further that if any were suspected or failed to appear, their goods would be assessed by neighboring clerks or laymen without option.¹ Some payers preferred common estimation, because it lessened the risk of falling under ecclesiastical censure for fraud or for failure to pay the tenth in full,² and many of those who certified on their consciences in the first year obtained permission later to change to common estimation in order to lift the burden from their consciences.³

Among the clergy the new assessment raised a storm of indignation.⁴ Between February and July 1276, they formulated a petition and forwarded it to the pope by nuncios instructed to secure the redress of their wrongs.⁵ The clergy of the Anglican church, they said, 'are crushed at present by so many and so great burdens, that they will not be able to sustain the weight of the immense and unaccustomed valuation, introduced by the recent assessors at the will of the collectors, without damaging scandal and lasting detriment.' The assessors, they claimed, fix a sum far above the true value and increase by a fourth or a third the estimation made by juries. On the other hand, if the clergy take oath to their incomes, they may perjure themselves unwittingly, since their incomes vary from year to year. They ended with the request 'that the payment of the said tenth may be exacted according to the valuation of Norwich, which has been customarily held to be near enough to the true value, and with which the receivers of like taxes had been satisfied as a suitable and also a legal estimation from of old.'

Though the weight of the new valuation was the burden of their refrain, they charged the collectors and their agents with violations of the papal rules for assessment, and they accompanied their petition with a specific list of such acts drawn up by the clergy of the diocese of Salisbury.⁶ Holders of benefices, who, though in residence, necessarily had to

¹ Lunt, *Valuation of Norwich*, p. 620.

² *Gesta Abbatum*, I, 468.

³ *E.H.R.*, xxxii, 69. The prior of Durham paid a supplementary sum at the close of the period for the 'serenity' of his conscience: Muniments of Dean and Chapter of Durham, Misc. Charter 4248.

⁴ *Liber de Bernewelle*, pp. 190, 199; John de Oxenedes, *Chron.*, p. 248.

⁵ *Reg. of Pontissara*, I, 360-62; *Reg. of W. Giffard*, pp. 314-16. The two copies display slight variations. The papal answer recites several sections of the petition: *Reg. de Jean XXI*, 104, 105. The petition is undated, but it was addressed to Innocent V, who was pope from 21 January to 22 June 1276.

⁶ *Reg. of Pontissara*, I, 362-66. This or a similar statement must have been before the pope, because he answered some of the complaints in it which are not found in the petition of the whole English clergy.

hire chaplains, had not been allowed to deduct the salaries, and chapters and canons who were compelled to hire perpetual vicars had been treated in the same manner. The tenth was exacted on revenues devoted to the care of the sick and the poor inmates of hospitals. When a benefice was worth only six marks or less, the assessors sometimes valued it arbitrarily at a shilling or two over the six marks in order to bring it within the scope of the tenth. The assessors did not allow enough time for cited persons to appear before them, placed those who failed to appear under interdict, and extorted large sums before they would allow relaxation of the sentence. They were open to bribery, hurled ecclesiastical censures about recklessly, and charged excessive fees for the documents which they issued. If any were suspected of paying less than the tenth, the apostolic letter required investigation by a papal commission, but the assessors disregarded the rule. If a taxpayer thus aggrieved offered to prove that his tenth was accurate by means of witnesses or an inquisition, the assessors replied with Pilate: 'What I have written, I have written.' Sometimes assessors gave to a taxpayer a statement of his assessment which was much less than the figure contained in their official report to the collectors. If taxpayers sought redress from the principal collectors, they had to go to London, four or five days' journey from their homes, and they received for their pains the information that nothing could be done. The assessors in the diocese of Salisbury were strangers in the diocese, they were poor and they were light weights. They associated with themselves four or five equally flighty clerks of the diocese, made them their companions at table, and used their evidence to increase assessments made on the oaths of taxpayers. When indignant taxpayers protested, they were met again with the formula of Pilate's reply.

Though this diatribe reflects such exasperation as could not be expressed without exaggeration, it is not devoid of truth. The collectors admitted to the pope that some of the directions given in the bull concerning doubts were difficult of interpretation,¹ and they pointed out to him that assessors receiving so little reward were likely to succumb to bribery.² They even put in a plea for mercy to nuns who, though actually very poor, did not beg. But they did not accept all the complaints of the clergy at their face value. They condemned the masters and officials of rich hospitals who converted much of the hospital's income to their own use. Secular clerks, they claimed, sought immunity from the tenth for benefices which could not be farmed for six marks, though the actual yield might be from ten to twelve marks, and monks tried to classify

¹ *E.H.R.*, xxxii, 86-88.

² *E.H.R.*, xxxii, 68.

many ordinary rents as pittances. They deemed the requirement of a papal commission of investigation a means of protection to the dishonest. They asserted that those allowed to use the 'way of conscience' commonly paid less than a twentieth, and they believed that the choice of methods of assessment was utilized by the taxpayers to secure the lowest possible rating. Their view of the situation was summarized in the statement that many 'seek subterfuges by means of which they may pay the said tenth in part or not at all.'¹

From this conflict of views it becomes apparent incidentally that the deputies charged with the assessment did not occupy enviable positions. Their only recompense was immunity from the tax, which was of little worth to men with such moderate incomes as most of them received. Balanced against this were the expenses for the entertainment of guests and for the employment of scribes and assistants, for which they were not reimbursed. They faced the certainty in the existing state of public opinion that they would 'incur the vexed enmities of their friendly neighbors,' and the probability that they would be subjected to strong pressure to yield to bribes or other dishonest practices. 'All the aforesaid say,' reported the collectors of the deputies, 'that they will never perform the aforesaid function in the future, nor is it to be hoped that any may be found who will wish to serve or assist in so hateful a business for their stipends.'²

John XXI, to whose lot it fell to answer the petition, gave his decision with a true spirit of impartiality. He professed himself displeased with the wrongs alleged by the nuncios and offered to try any persons against whom they would bring charges. Finding that the nuncios did not wish to take legal action, he redressed their grievances by selecting certain of them and ordering the collectors to remedy them, if they were true. His choice indicates which of the complaints he regarded worthy of serious consideration. Since he included the compulsory oath exacted of honorable, unsuspected ecclesiastics and the additions made by assessors to some assessments established by the oaths of the taxpayers and their neighbors, and insisted that the taxpayers who desired assessment by common estimation should have it, he evidently intended to disregard the full powers conferred upon the collectors by Gregory X in his letters of 30 August and 27 October, 1275, and to revert to the principles of the bull concerning doubts. The other grievances which he thought deserving of remedy were the taxation of revenues appropriated to the poor and infirm inmates of hospitals and of benefices worth no more than six marks,

¹ *E.H.R.*, xxxii, 67, 68, 86-88.

² *E.H.R.*, xxxii, 67, 68.

the failure to deduct the salaries paid legitimately to vicars or farmers by rectors and canons, the wilful citations of taxpayers to appear long distances from their homes, the charging of extortionate fees, the illegal or inexpedient use of ecclesiastical censures, and the acceptance of bribes.

For the purpose of insuring a remedy of those grievances he ordered the principal collectors to convoke a public assembly of the English clergy at London, and to swear before it to exercise their offices faithfully, to abstain from the enumerated abuses and from any others of which they were aware, to add nothing beyond the true value of any benefice, and to prevent their assistants from making such additions. The execution of the premises was further assured by the penalty of excommunication for failure therein. The collectors were also enjoined to investigate any complaint of an unjust assessment or of extortion lodged with them against any of their subordinates, and, if the complaint should be verified, to compel the guilty subordinate to give remedy and to undergo such punishment as he might deserve. They were also to give absolution from ecclesiastical censures, but only after satisfaction for the tenth had been received.

Having thus provided adequate remedy for any legitimate grievances, John XXI indicated that he did not consider the attitude of the English clergy entirely justified. He asked the clergy not to seek frivolous excuses or to devise empty causes. Their fundamental request he denied outright, giving the instruction that 'the slightest regard should not be had for the valuation made by the bishop of Norwich of good memory, or any other formerly made in those parts.'¹

This denial rendered John's award far from satisfactory to the English clergy. The annalist of Dunstable, after recording the death of Innocent V, Adrian V and John XXI, wrote: 'These last three hardly lasted through two years, and it is said that they deserved [their fate], because they were not willing to reduce the said tenth.'² The collectors, on the other hand, were unhappy over the concessions made with regard to their valuation. They not only found the papal principles of modification difficult to administer, but they also feared that they would decrease seriously the amount of the tenth.³

Before the papal mandates reached the collectors, important changes had taken place in the staff. On 13 January 1277, Gerard de Grandson, who found it necessary to leave England in order to attend to business elsewhere, conferred his fuller powers upon John of Darlington.⁴ Ger-

¹ 12 and 13 February 1277: *Reg. de Jean XXI*, 104-6.

² P. 267.

³ Below, pp. 324-27.

⁴ *E.H.R.*, xxxii, 68, 69.

ard's death in 1278¹ prevented his return to England. Concerning his activities during his brief tenure of office we receive only glimpses. He changed many of the deputies,² as he had been particularly charged to do. He held out to the deputies a hope of daily wages of three shillings which proved to be vain. Though he seems to have had justification in the terms of his commission, the other collectors later denied his interpretation, and the deputies never obtained their remuneration.³ He also began to invoke the secular arm to force recalcitrant debtors to pay the tenth,⁴ and he arranged several deposits of the proceeds of the tenth with firms of Italian merchants.⁵ When Gerard left England, Raymond was in Italy. He did not return to England, because he was superseded as collector of the tenth, on 12 February 1277, by Arditio, dean of Milan and papal chaplain.⁶ The new collector was awarded a salary of eight shillings a day from the money of the tenth.⁷

Arditio, who left the papal court on 20 March 1277,⁸ arrived in England in time to convene the ordained clerical assembly at New Temple on 17 May.⁹ There he and John of Darlington published the papal response to the petition of the English clergy and took the prescribed oath.¹⁰ The new regulations added to the difficulties already experienced by the collectors as a result of the conflicting mandates given to them concerning the assessment.¹¹ They soon found that many who had first chosen the 'way of conscience' and had been allowed later to change to common estimation were taking advantage of John's new decree to return to the 'way of conscience' with the intent of reducing their tenths.¹² The right of the taxpayers to choose the method of assessment was, indeed, the *bête noir* of the collectors. As late as 1279, they again complained to the pope that because of it many were still seeking new valuations. 'The tenth,' they said, 'is greatly reduced, and will be reduced beyond measure, unless you should command us that, all other ways ceasing, the valuations and estimates rightly made by us shall stand.' Their remarks were given point by the contemporaneous appeal of the abbot of Westminster to the

¹ 'Ann. S Vitoni Virdunensis,' *M.G.SS*, x, 528.

² Below, app. pp. 629, 630.

³ *E.H.R.*, xxxii, 63, 67, 68; *Reg. of Peckham*, I, 293-97; *Cal. Pap. Regs. Letters*, I, 464.

⁴ *E.H.R.*, xxxii, 67; *C.P.R.*, 1272-81, p. 155; Prynne, *Records*, III, 179.

⁵ *E.H.R.*, xxxii, 72, 73, 85.

⁶ *E.H.R.*, xxxii, 50, 68, 72; *Reg. de Jean XXI*, 106.

⁷ *Cal. Pap. Regs. Letters*, I, 452; *E.H.R.*, xxxii, 53.

⁸ *E.H.R.*, xxxii, 53.

⁹ His royal safe-conduct was dated 27 May: *C.P.R.* 1272-81, p. 210.

¹⁰ *E.H.R.*, xxxii, 71, 72.

¹¹ *E.H.R.*, xxxii, 67.

¹² *E.H.R.*, xxxii, 69.

apostolic see for a valuation yielding a tenth of £30, which the collectors would not accept because they thought it less than half the true value. Nicholas III was finally convinced and answered their plea: 'Let it be assessment.'¹ The long struggle of the collectors over this provision had the further result that the element of choice was dropped from subsequent issues of the bull concerning doubts, and later assessments were compiled by the uniform method of common estimation.

In 1279 the collectors also asked for a papal ruling on other clauses of the bull concerning doubts which had caused them difficulties. They were authorized, if possible, to make distinction between revenues of hospitals used for the inmates and those used for the officials and to tax the latter, but warning was given that such a separation did not exist in rich hospitals. The collectors had come to grief in the interpretation of this provision, when three hospitals appealed to Nicholas III and obtained from him exemption from the tenth.² The problem of the exemption of poor nuns who did not beg publicly, which had been brought to the attention of the collectors as early as 1275 by a plea of the bishop of Worcester in behalf of the nuns of Whiston,³ was finally settled by leaving it to the discretion of Friar John. The pope intervened, however, with a special order to exempt a pension received by the nuns of S Sisto in Rome from the monks of Nostell.⁴ The alternative between the farming value and the actual income as a means of determining what benefices were worth no more than six marks was ended by a decision that the resident should pay on what he received. A narrow definition of the pittances of monks was approved. The exemption of bequests to churches for the purchase of perpetual rents was interpreted to be conditional upon the rents being held like other possessions of churches.⁵ The contention of the English that they could not be excommunicated for failure to pay the tenth until a papal commission had investigated was denied. The 'way of conscience' was rendered innocuous by the explanation that the collectors could require an oath of any whom they suspected of undervaluation by that method.⁶ These papal decisions stopped some of the principal loopholes which the English clergy had discovered in the bull concerning doubts. It was no fault of the collectors that they had not been stopped before 1279, nor was blame attached to any one pope with the possible

¹ *E.H.R.*, xxxii, 80-83, 85-87.

² 9 September 1278: *Cal. Pap. Regs. Letters*, i, 456.

³ Nash, *Worcestershire*, i, 210.

⁴ 18 February 1279: *Cal. Pap. Regs. Letters*, i, 459.

⁵ Apparently it was meant that the rents must constitute part of the endowments of churches.

⁶ The letter of the collectors to which these replies were made was dated 5 February 1279: *E.H.R.*, xxxii, 86-88.

exception of John XXI. The delay had been caused by the rapid succession of five popes within the first four years after the tenth became current.¹

Despite the obstacles encountered by the collectors, the valuation of 1276 was a more careful and thorough piece of work than the valuation of Norwich. The administrative organization was better adapted to the attainment of effective results, and the assessors were bound by such detailed instructions that they had less opportunity either for mistakes or undue leniency.² The surviving fragments of the valuation indicate that it marked a large increase over that of Norwich, and the incomes of several monasteries were assessed at more in 1276 than they were in 1292.³ The evidence of the fragments is confirmed by a comparison of the receipts from the tenths. The sum which had been collected in 1287, when the outstanding arrears were probably small, represented an average annual yield of £21,398.⁴ It was probably more than double the tenth produced by the valuation of Norwich, substantially larger than the annual yield of the triennial tenth imposed in 1266, and slightly more than the tenth of the valuation made between 1291 and 1293. The last valuation was denounced by contemporary chroniclers as higher than any which had preceded,⁵ but the tenth of it, as stated among statistical items entered in several cartularies compiled late in the thirteenth century or in the fourteenth, varied from £20,812⁶ to £20,958,⁷ the most common figure being £20,862.⁸ The actual charge against the collectors of a tenth levied on this valuation varied with the number of exemptions granted from each levy. The collectors of the fourth year of the sexennial tenth imposed in 1291 were responsible for £20,855,⁹ and those who collected

¹ *E.H.R.*, xxxii, 67.

² Lunt, *Valuation of Norwich*, pp. 105-67.

³ *Ibid.*, pp. 552-59; *Pinchbeck Reg.*, i, 408-10; College of Arms, Arundel MS. 30, fols. 163, 213, 213v; Bodleian Library, MS. Rawl. B 336, p. 196; *Ancient Corres.*, xvii, 45; *Reg. of W. Giffard*, p. 271; *Liber de Bernewelle*, p. 199; *Reg. of G. Giffard*, ii, 143; John de Oxenedes, *Chron.*, p. 248; *Reg. Malmes-buriense*, ii, 362; *Chron. Petroburgense*, p. 21; *Gesta Abbatum*, i, 468; Harl. MS. 1708, fol. 215; Cotton MS. Tiberius D vi, pt. 2, fol. 54; *Collectorie* 14, fol. 6; *Muniments of Dean and Chapter of Canterbury*, *Cartae Antiquae C* 223.

⁴ *E.H.R.*, xxxii, 58.

⁵ *Liber de Bernewelle*, pp. 190, 203; *Ann. de Oseneia*, pp. 331-33; John de Oxenedes, *Chron.*, p. 284.

⁶ *Landboc de Winchelcumba*, i, 370. It is given as £20, 822 in Harl. MS. 3640, fol. 127, and as £20,-849 in Lansd. MS. 405, fol. 55v.

⁷ British Museum, Arundel MS. 310, fol. 223v.

⁸ Harl. MS. 926, fol. 2; Addit. MS. 7096, fol. 172 (century XV); Lambeth Palace Library, MS. 371, fol. 56v; *Arch. Cambrensis*, 4th ser., xiv, 287. It is given as £20, 872 in Harl. MS. 3720, fol. 16v. It is £20,414 in *Reg. of Hethe*, p. 51; Chichester Diocesan Registry, *Liber E*, fols. 241-57v. Stubbs, by a computation based on the printed text of the valuation, reached the figure £21,064: *Constitutional History*, ii, 580.

⁹ Baethgen, 'Quellen,' *Qu.F.*, xx, 235, 236. The annual amount of the charge during the first three years was £20,281: Lunt, 'Collectors' Accounts,' *E.H.R.*, xxxi, 106-8.

the tenths levied between 1306 and 1313 were charged annually with a sum which varied from £20,335 to £20,702.¹

The collection of the tenth was fully as difficult as its assessment. The delay of the systematic assessment until after three semi-annual payments had become due established a handicap at the outset. The apparently conflicting orders of the popes with regard to the methods of assessment and the resulting uncertainty of their interpretation caused many debtors to delay until they could be more certain of the amounts which they owed. The changes in the staff of the principal collectors and of their deputies added to the confusion. The rapid succession of popes worked havoc not only by producing changes of policy but also by providing the clergy with the excuse that the powers of the collectors lapsed with the decease of each pope.² Some of the deputies did their work badly. They exceeded their powers and neglected their duties.³ Several of them were disappointed by the failure to uphold Gerard's ruling that they were to have wages of three shillings a day,⁴ and two of them went so far as to forge papal letters in the attempt to obtain the stipend.⁵ In the summer of 1277 the collectors were prevented from making their customary rounds of inspection by advice received from the king and the prelates to the effect that while the king and the barons were absent on the Welsh campaign, it would be unsafe to travel about the kingdom 'on account of robbers banding themselves together in ambushes in various places.'⁶ They were compelled to bow to the English custom that the revenues of vacant bishoprics and abbacies paid no tenths while they were in the hands of the king, and they could collect no tenth from the goods of certain clergymen who had died intestate, because the goods had been confiscated by Raymond who was collecting them for the apostolic see. The greatest obstacle of all was the prolonged opposition of many of the clergy who seized upon every excuse to avoid payment of the tenth and upon every opportunity to make trouble for the collectors.⁷

The inevitable result of these conditions was a large amount of arrears. After the last instalment of the third year had become due, Arditio and John reported: 'Very much of the tenth of the first year remains to be paid, and much more of the tenth of the second year, and beyond measure more, even more than half as we believe, of the tenth of the third year.'⁸

¹ Below, p. 393.

² *E.H.R.*, xxxii, 67-69, 86-88.

³ *Reg. of Peckham*, i, 58-61; below, p. 328.

⁴ *E.H.R.*, xxxii, 67.

⁵ *Reg. of Peckham*, i, 293-97.

⁶ *E.H.R.*, xxxii, 66, 67.

⁷ *E.H.R.*, xxxii, 66-69, 84-88.

⁸ *E.H.R.*, xxxii, 67, 73.

The sentence of excommunication imposed for failure to pay on time was incurred by a large company which included both high and low. The bishop of Chichester and numerous monastic communities were among the victims¹ as well as rectors and vicars.² The collectors, lamenting 'the hardness of many who hold in contempt the keys of the church, fearing neither suspensions, nor excommunications, nor interdicts nor irregularities,' felt that the clergy generally held ecclesiastical discipline in 'contemptible cheapness.' Rarely, they said, did those under sentence seek absolution.³ The disgust of the collectors, however, gave to the expression of their opinion an element of exaggeration. Some of the clergy incurred the sentence through ignorance,⁴ others thought the sentences against them unwarranted,⁵ and still others fell under censures for the good reason that they lacked the money necessary to meet payments when they fell due.⁶ Some who were excommunicated abstained scrupulously from participation in divine services,⁷ and many made what haste they could to pay their debts and obtain relaxation of the sentence.⁸ The collectors, moreover, were severe in their application of the sentences. When Archbishop Pecham inquired of them the reasons for the excommunication of the prior and convent of Christchurch, Canterbury, they replied that the offenders had displayed false letters of acquittance for certain payments, had then attested their genuineness with a perjured oath, had kept back forty marks of a hundred due at each of the first four terms with the excuse that they had been authorized to hold that amount in deposit, and had claimed to have absolution when they had not received it. The collectors regarded these offenses as so serious that they doubted their power to give absolution.⁹ Investigation of the circumstances demonstrated that there had been no forgery or perjury, but merely an error by a deputy who had exceeded his authority by granting delays of payment, giving acquittances for payment in full, and treating the unpaid balances as deposits left with the prior and convent.¹⁰

¹ *Reg. of Peckham*, I, 28, 29, 32, 58-61; *Lunt, Papal Revenues*, I, 259, 260; *Gesta Abbatum*, I, 468; *Reg. of G. Giffard*, II, 143.

² *E.H.R.*, XXXII, 67, 84; Worcester Diocesan Registry, *Reg. of Giffard*, fols. 71, 127^v.

³ *E.H.R.*, XXXII, 67, 68.

⁴ *Lunt, Papal Revenues*, I, 259, 260; *Reg. of Peckham*, I, 58-61.

⁵ *Reg. of Pontissara*, I, 365, 366.

⁶ *Reg. of Peckham*, I, 60.

⁷ *Gesta Abbatum*, I, 468.

⁸ *Ibid.*, I, 468; *Reg. of Peckham*, I, 58-61; *Reg. of Wickwane*, pp. 276, 277, 337, 338; *Lunt, Papal Revenues*, I, 259, 260.

⁹ Muniments of Dean and Chapter of Canterbury, Eastry Letters, III, 90; H.M.C., *Report on Various*, I, 251.

¹⁰ Muniments of Dean and Chapter of Canterbury, Cartae Antiquae, C 223, E 1289; *Reg. of Peckham*, I, 58-61. Apparently the principal collectors permitted this device upon occasion: Muniments of Dean and Chapter of Ely, Misc. Charters, Chapman nos. 111-13, 116.

Yet the collectors did not exaggerate grossly. The long continuance of a large amount of arrears indicates that many of the clergy must have stood out obstinately against the sentences pronounced upon them. On 30 October 1277, the collectors, acting upon the orders of John XXI, instructed their deputies to announce that all who were excommunicated were to be strictly avoided,¹ and in the next year they repeated the same instruction upon the command of Nicholas III. On 5 February 1279, they reported, nevertheless, that the tenth of the fourth year had been paid badly, and complained again that 'the sentence of excommunication with the snare of irregularity is cared for too little by many greater, medium and lesser in the kingdom of England.'² Notwithstanding the failure of ecclesiastical censures, the collectors did not ask for the help of the secular arm freely. Apparently they were not sure of their right to do so, after the departure of Gerard.³ The bishops sometimes aided them by applying sequestration to the goods of delinquent debtors, but it may be doubted if even that method of compulsion was used extensively.⁴ At the termination of the sexennial period so large an amount of the tenth was still unpaid⁵ that the collectors were continued in office. They sought the advice of Martin IV, who ordered them to warn debtors that they must pay within a certain time and authorized them to appoint deputies in remote regions to give absolution to those who heeded the warning and could not conveniently go to the collectors. If the warning was disregarded, the disobedient were to be cited to appear before the pope within three months.⁶ On the receipt of this letter, the collectors ordered each bishop to cite specifically those whose names were supplied by the collectors or their deputies to pay within twenty days or appear at the Roman court within three months. At the same time they appointed local prelates to give absolution to those who paid within the prescribed term.⁷

These stringent measures served to bring to terms the obdurate, of whom there were many. In the diocese of Worcester, for example, seven monasteries and one hospital owed substantial sums for each of the six years.⁸ When the collectors published their new orders, the total of the

¹ Worcester Diocesan Registry, Reg. of Giffard, fols. 70^v, 71.

² *E.H.R.*, xxxii, 84.

³ *E.H.R.*, xxxii, 67, 88.

⁴ *Reg. of Pecham*, pp. 139, 140; *Reg. of Wickwane*, pp. 250, 251. In these instances it was applied only to recover the tenth owed by deceased payers.

⁵ *E.H.R.*, xxxii, 54.

⁶ 15 October 1281: *Cal. Pap. Regs. Letters*, i, 464; Worcester Diocesan Registry, Reg. of Giffard, fol. 127^v.

⁷ Worcester Diocesan Registry, Reg. of Giffard, fols. 127^v, 128, 130^v.

⁸ *Reg. of G. Giffard*, ii, 143.

arrears approached £18,000,¹ which was approximately 14 per cent of the tenth. By 1 July 1282 the situation had so far improved that Arditio, who had been elected bishop of Modena, departed for his see, leaving his kinsman, Philip de Comite, canon of S Giorgio in the palace of Milan, who had previously assisted the collectors, to take his place until he secured his formal release in September.² After that date, Geoffrey of Vezzano, who had been general collector in England since 1276, became the colleague of John of Darlington. On 11 October 1283 the friar was allowed to resign his office in order to attend to the affairs of the archbishopric of Dublin, to which he had been appointed in 1279.³ By that time the bulk of the tenth had been assembled, £14,011 of arrears having been recovered since May 1282.⁴ After John's retirement, Geoffrey was left in sole charge of the work of collection. He exerted pressure upon the debtors by various means, including the secular arm.⁵ He was so far successful that in his last extant report, rendered early in 1287, the total receipts from the tenth amounted to £128,388 1s. 8½d.⁶ By that time only the most hopeless debts could have remained. After Geoffrey withdrew from office in 1300, the collection of the arrears continued to be included in the commissions of his successors.⁷ Bartholomew of Ferentino and the bishop of Winchester collected only the deposits of the tenth.⁸ Gerard of Pecorara reported in 1304 that only a small amount remained to be recovered, but he did not say whether it was in the hands of the depositaries, the deputy collectors or the taxpayers. He certainly received none of it.⁹ The reports of his successors, which are extant for the greater part of the period from 1305 to 1323, mention no receipts from this source.¹⁰

The funds arising from the tenth were kept in safe places in accordance with the instructions issued by Gregory X.¹¹ Cathedral and monastic churches were used for the purpose, almost exclusively at first, and extensively throughout the period of collection. Deposits were made in

¹ The difference between the amount which had been received in May 1282 and that which had been received in 1287: *E.H.R.*, xxxii, 52, 58.

² *E.H.R.*, xxxii, 51–55, 74; below, p. 619.

³ Theiner, *Vet. Mon. Hibernorum*, pp. 118, 126.

⁴ *E.H.R.*, xxxii, 53–55.

⁵ Prynne, *Records*, iii, 359; *Regs. d'Honorius IV*, 306; Muniments of Dean and Chapter of Rochester, B 15.

⁶ *E.H.R.*, xxxii, 58. On the date see *E.H.R.*, xxx, 408, n. 82.

⁷ Below, pp. 620–23.

⁸ Below, p. 343.

⁹ Lunt, 'Account,' *E.H.R.* xxviii, 320.

¹⁰ Lunt, 'William Testa,' *E.H.R.*, xli, 352–57; below, pp. 682, 683; *Introitus et Exitus* 15.

¹¹ *Reg. of W. Giffard*, p. 276; *E.H.R.*, xxxii, 62.

them by both the collectors¹ and the deputies.² Whoever made the deposit, the recipient of it gave his bond to deliver the money to the principal collectors, assuming all risks of loss and submitting to the jurisdiction of the collectors.³ The depositaries kept the money until the principal collectors ordered its delivery to themselves or to others.⁴ The system of local deposits was not without risks.⁵ The dean and chapter of Hereford let the bishop have 200 marks from a deposit for which they were jointly responsible,⁶ and two depositaries lent substantial portions of the money in their keeping to the king.⁷ Occasionally mistakes were made in the accounts with depositaries. The abbot and convent of Reading, with whom Gerard deposited £300, issued an obligatory letter for the sum and later repeated the letter. The collectors forwarded both letters to the pope, making it appear that more of the tenth was deposited at Reading than was actually the case. When the mistake was discovered, John of Darlington was prepared to rectify it immediately, but Arditio refused to relieve the monks of responsibility until authorization had been received from the apostolic see. It was not until 1286 that Geoffrey of Vezzano released the abbot and convent from the obligation for money which they had never received.⁸ In some instances the difficulty was more serious than a mere problem of keeping accurate accounts. In 1287 Geoffrey found that a chest in the treasury of the church of Llandaff had been broken open and a part of the proceeds of the tenth deposited therein secretly removed. A shortage also occurred in a deposit kept in the treasury of St Augustine, Canterbury. The sum of the two losses amounted to £495, but the collector hoped to recover it by the aid of the royal treasurer.⁹ The collectors kept a sum of money in the treasury of the New Temple on different terms. It was stored in a chest provided with three locks to which the treasurer of the Temple had one key, John of Darlington another, and Arditio the third. This deposit served the collectors as cash on hand.¹⁰

The depositaries upon whom the collectors placed their chief reliance

¹ Muniments of Dean and Chapter of Canterbury, *Cartae Antiquae*, E 1289; Harl. MS. 1708, fol. 215.

² Thorn, *Chronica*, p. 1926; Lunt, *Papal Revenues*, II, 120; Muniments of Dean and Chapter of Canterbury, *Estry Letters*, III, 90; *Collectorie* 14, fols. 12, 17.

³ *Reg. of Cantilupo*, p. 220; Harl. MS. 1708, fol. 214^v.

⁴ Lunt, *Papal Revenues*, I, 272; Bodleian Library, MS. Ch. Cambs., a 1, no. 10.

⁵ Muniments of Dean and Chapter of Durham, Misc. Charter 4626.

⁶ *Reg. of Cantilupo*, pp. 219–21, 247.

⁷ Abbot of St Peter, Gloucester, £500, dean and chapter of Lincoln, £700: *C.P.R. 1272–81*, p. 276; L.T.R. Enrolled Accounts, Wardrobe no. 2, m. 1.

⁸ Harl. MS. 1708, fols. 215–16; *E.H.R.*, xxxii, 57.

⁹ *E.H.R.*, xxxii, 57.

¹⁰ *E.H.R.*, xxxii, 75, 77; Lunt, *Papal Revenues*, I, 309, 310.

were the Italian firms of bankers which kept agents in England.¹ The collectors began to deposit money with these firms in 1276.² On 3 June 1277 a group of English prelates, who met at New Temple, advised the collectors to transfer the deposits in English churches to the Italian firms for their greater safety. They explained that the departure of the barons and knights for the Welsh campaign was likely to be followed by the rise of bands of robbers who would not hesitate to break into cathedral and abbatial churches, whose guardians were not prepared to resist force. On one similar occasion, even the treasury of the New Temple had been invaded.³ The king not only gave the same warning, but he also suggested the use of the Ricciardi as depositaries and offered to guarantee their restoration of the money on requisition by the pope or the collectors.⁴ Since the Ricciardi were acting as royal bankers,⁵ the king's advice may not have been disinterested. It would have been an anchor to windward to have the resources of his bankers increased on the eve of a campaign, and his willingness to become surety for the money was remarkably altruistic, if it was not his intention to secure a reserve upon which he could draw, should the necessity arise. The collectors accepted the advice to transfer the deposits, but not the suggestion that they be confined to the Ricciardi. Several firms collected the money from local depositaries and deputy collectors during the summer of 1277.⁶ They undertook all expenses of its collection, assumed all risks of its loss, and gave bonds to repay it on demand of the pope or the collectors.⁷ Thereafter the transfer of funds to the merchants was maintained regularly until the sexennial period expired, when the rate of transfer was greatly accelerated.⁸ In May 1282, the deposits in the treasuries of monasteries and churches amounted to £39,795 and those in the hands of the Italian bankers reached a total of £59,969.⁹ By 31 March 1283 the latter figure

¹ They were the Ricciardi, the Squarcialuppi, the Cardelini and the sons of Bettori of Lucca; the Buonsignori of Siena; the Amannati and the Clarentini of Pistoia; the Scotti of Piacenza; and the Scala, the Raynerius Ardingelli, the Falconerii, the Frescobaldi, the Circuli, the Bardi, the Pulici and Rembertini, and the Mozzi of Florence: *E.H.R.* xxxii, 77-80; below, pp. 641-65. Cf. Schneider, *Finanziellen Beziehungen*, pp. 6-17.

² *Collectorie* 14, fols. 1-21^v. This is a report rendered to the camera, apparently in 1283, of the deposits received by those firms. It is printed below, pp. 641-65.

³ *E.H.R.*, xxxii, 66, 67, 75, 76.

⁴ *C.P.R.* 1272-81, p. 214.

⁵ *Ibid.*, pp. 94, 326, 354; Vincent, *Lancashire Lay Subsidies*, p. 159; Madox, *Exchequer*, II, 137; *Rot. Originalium*, I, 19.

⁶ Below, pp. 641-65.

⁷ *E.H.R.*, xxxii, 67.

⁸ *E.H.R.*, xxxii, 89; *Cal. Pap. Regs. Letters*, I, 464; below, pp. 641-65.

⁹ *E.H.R.*, xxxii, 52.

had been increased to £70,152,¹ and deposits continued to be placed with the Italian firms for several years thereafter.²

The merchants received the money from the principal collectors themselves,³ from the deputies,⁴ from the local depositaries,⁵ and also directly from many taxpayers.⁶ At intervals they accounted for their receipts to the principal collectors, who checked the items by the accounts rendered to them by the deputy collectors. A firm then gave its bond to the collectors for the sum received since the date of its last account.⁷ Two notarial copies of each bond were made, one being kept by the collectors, and one being sent to the papal camera. The collectors also sent to the Roman court copies or summaries of the accounts which the merchants rendered to them.⁸ The merchants received a few trifling payments for the transportation of certain sums of money and for their occasional services as messengers,⁹ but much of the carriage of the money was done at their expense.¹⁰ No trace of remuneration for the risks attendant upon the custody of the deposits appears in the accounts. The merchants may have derived profit from use of the money while it was in their possession, and the patronage and protection given by the papacy to the firms which transacted its financial business constituted a reward of no small consequence to them.¹¹

The collection of this tenth marked a new stage in the centralization of papal control over the administration of income taxes. Gregory X was the first pope to require from the collectors frequent consultation and reports. The collectors not only reported to the pope in detail the amounts received and expended, but they also supplied frequent statements of their proceedings and of their transactions with deputies, depositaries and payers. They also sent to the papal camera copies or summaries of their accounts with the Italian merchants and of the reports received from their deputies. They sought the guidance of the apostolic see freely, and

¹ Below, p. 665.

² *E.H.R.*, xxxii, 56–58; Arias, *Studi e Documenti*, pp. 38, 39, 65.

³ Below, pp. 654–57.

⁴ Below, pp. 649–63; Re, 'La Compagnia dei Riccardi,' *Archivio della R. Società Romana di Storia patria*, xxxvii, 132–34; Muniments of Dean and Chapter of Durham, Misc. Charter 4187.

⁵ Below, pp. 647, 649, 653, 663, 664.

⁶ Below, pp. 644–48, 653–64.

⁷ For examples see Lunt, *Papal Revenues*, i, 310–12; documents dated 2 and 6 March 1280 in Roman Transcripts, General Series 59; Re, 'Compagnia dei Riccardi,' *Archivio della R. Società Romana di Storia patria*, xxxvii, 132–34.

⁸ Below, pp. 641–65; *E.H.R.*, xxxii, 77–80, 89.

⁹ Below, p. 648; *E.H.R.*, xxxii, 53–55.

¹⁰ *E.H.R.*, xxxii, 67.

¹¹ Lunt, *Papal Revenues*, i, 55, 56.

the popes often volunteered advice.¹ In 1284 Martin IV directed his camerarius, Berard, to audit the accounts of the English collectors and Italian bankers, in order to verify their accuracy and to protect the rights of both the papal camera and the merchants.² No such elaborate machinery designed to maintain central control appears to have been used in connection with any earlier papal income tax levied in England. The collectors of the fortieth imposed in 1199 and of the twentieth decreed in 1215 were expected to report only the amounts received.³ Stephen, Rostand and Ottobon had available materials from which they could have constructed accounts of their total receipts, expenses and deliveries. The two former required from their deputies itemized accounts of the payments received.⁴ Rostand accounted to the king for his administration,⁵ and the deputies appointed by Ottobon also accounted to royal auditors.⁶ The collectors of all three tenths may have rendered final accounts of receipts and disbursements to the papal camera,⁷ but nothing indicates that they were required to supply the camera with frequent detailed reports of their administrative activities.⁸ The papal supervision of the work of the collectors of the tenth imposed in 1274 was closer and more thorough than any which earlier collectors of papal income taxes in England had experienced.

As a means of promoting a crusade Gregory X offered to any king who took the cross the yield of the tenth within his dominions.⁹ Edward I accordingly secured the grant of the tenth of England, Wales and Ireland, and that of Scotland as well, if the king of Scotland would consent, in return for his promise to participate, but the concession was conditional upon his assumption of the cross, and no money was to be delivered to him until he was prepared to depart.¹⁰ His right was limited, moreover, by

¹ Reports of the collectors in *Collectorie* 213 and 14. I have edited the portion of the former relating to England in *E.H.R.*, xxxii, 49-89, and the latter below, pp. 641-65. For translations of extracts from both see Lunt, *Papal Revenues*, i, 187-90, 206, 207, 220-28, 307-10; ii, 139-43, 179-85. Many parts of 213 relating to other countries have been published. For a list of them see Guidi, 'Tuscia, i, La Decima degli Anni 1274-1280,' *Studi e Testi*, lviii, pp. xiv-xvii.

² *Cal. Pap. Regs. Letters*, i, 477; Theiner, *Vet. Mon. Hibernorum*, p. 127.

³ Above, pp. 241, 245.

⁴ Above, p. 249; Lunt, *Valuation of Norwich*, pp. 209-27, 363-466.

⁵ Above, p. 274.

⁶ Above, pp. 306, 307.

⁷ I have discovered none, and those for the tenth decreed in 1274 are generally accepted as the first known to be extant.

⁸ We have their commissions and some of their other instructions where such requirements would probably appear, if they had existed.

⁹ Steinherz, 'Die Einhebung,' *M.O.G.*, xiv, 2; Gottlob, *Kreuzzugs-Steuern*, pp. 109, 110; Jordan, *De Mercatoribus*, p. 77.

¹⁰ Executory letters addressed to Gerard de Grandson, 14 and 24 November 1275: Raynaldus, *Ann.*, 1275, § 44; Hirsch-Gereuth, *Studien*, p. 74, n. 85.

the grant to Philip III of France of one-half of the first year's income in all lands¹ to reimburse him for supplies which he had previously contributed at Gregory's request for the immediate necessities of the Holy Land.² Though Edward's intention to take part in the expedition was probably sincere, other affairs occupied his immediate attention. When the death of Gregory X occurred, he had not yet taken the necessary pledge. Subsequently he began to doubt the possibility of going in person. To John XXI he was ready to promise only that he would go or send his brother Edmund in his place.³

Meanwhile the treasure lying idle in his realm was a temptation to him. During the early years of his reign he experienced to an unusual extent the financial pressure from which he was never entirely free.⁴ The Welsh war of 1277 produced a crisis which forced him to make extraordinary efforts to increase his income during the next two years.⁵ At the same time a stringency in the money market⁶ made it difficult to anticipate future income already encumbered with debts.⁷ In the winter of 1278 he sent John of Darlington with two colleagues⁸ to request the pope to deliver to him at once the money assembled by the collectors. Nicholas III rejected the petition, but he offered to deliver 25,000 marks for the expense of immediate preparations, provided the king would assume the cross and promise to return the money, if he should fail to fulfil his vow.⁹ Edward did not accept the offer, probably because English affairs were rendering his participation unlikely. In 1280 he sought from Nicholas III to have the grant transferred to his brother, and in 1281 he placed the same proposal before Martin IV.¹⁰ The latter urged the king to reconsider, but Edward replied on 10 June 1282, when he was facing a second war with Wales, that he could not undertake the journey, and asked again that the money be given to Edmund, who would go in his place.¹¹

¹ The original grant is lacking, but Gregory's successors acknowledged it, and the payments were made: *E.H.R.*, xxxii, 51, 52, 72-75; Langlois, *Philippe III*, p. 444; Demski, *Nikolaus III*, pp. 255, 256; Jordan, *De Mercatoribus*, pp. 78-82.

² *Regs. de Grégoire X*, 159, 343-50; Bouquet, *Recueil*, xxi, 530.

³ Rymer, *Foedera*, i, 537.

⁴ In 1276 he secured a temporary loan of 2000 marks from the collectors of the tenth: *C.P.R. 1272-81*, p. 147; Devon, *Issues*, p. 91; Liberate Roll 38, m. 1.

⁵ Morris, *Welsh Wars*, p. 138; Stubbs, *Constitutional History*, II, 115, 116.

⁶ *Reg. of Peckham*, i, 17-20, 48, 49.

⁷ On the debts see *C.P.R. 1272-81*, *passim* and particularly pp. 214, 258, 300, 305, 320, 321; Bond, 'Extracts,' *Archaeologia*, xxviii, 242-46, 273-95; Whitwell, 'Italian Bankers,' *T.R.H.S.*, new ser., xvii, 182-84; Vincent, *Lancashire Lay Subsidies*, i, 156; Palgrave, *Antient Kalendars*, i, 80, 81; Devon, *Issues*, p. 90.

⁸ *C.P.R. 1272-81*, p. 259.

⁹ 1 August 1278: Rymer, *Foedera*, i, 560, 561; *Cal. Pap. Regs. Letters*, i, 455.

¹⁰ *Reg. of Peckham*, i, 140, 141, 190, 191; *Northern Regs.*, pp. 63, 64; *Reg. of Wickwane*, pp. 184-87; *Ancient Corres.*, xiii, 196.

¹¹ *C.C.R. 1279-88*, p. 187; Rymer, *Foedera*, i, 610; Prynn, *Records*, iii, 278, 1250, 1251; Deputy Keeper, *Seventh Report*, app. II, p. 271, no. 2242.

Shortly before making this communication, Edward laid an embargo on the exportation of the money of the tenth from the realm.¹ He professed fear that it might be withdrawn from England without his knowledge and the special command of the pope,² but the recent rapid mobilization of the money in the hands of the Italian merchants and the news of the Sicilian vespers may have caused him to apprehend that Martin IV would attempt to use the tenth to aid Charles of Anjou.³ He probably had in mind also the possibility of his own need of the money for the Welsh war. On 28 March 1283 royal officials seized the tenth deposited in churches and monasteries.⁴ The few custodians who offered resistance were ordered to deliver the money or to appear before the king and receive punishment. The king assigned as the reason for the seizure his fear that the deposits would 'suffer subtraction by malefactors and disturbers of the peace,' but he admitted the existence of other undisclosed reasons.⁵ This violation of sacred places caused Archbishop Pecham and his suffragans to demand an explanation of Robert Burnell, the chancellor.⁶ The pope, when he heard the news, warned the king to restore the money to the places whence it had been taken and commanded Pecham to go to the king and see that the restoration was effected within a month.⁷ Before the archbishop received this mandate, he had already been notified by a royal letter under the secret seal that he would be satisfied with regard to the money as soon as he should appear in the king's presence.⁸ When he reached the king in Wales, the war was nearly ended, the pressure for cash was removed, and Edward readily consented to replace the money within two months. On 29 November 1283 Pecham informed the pope that the king's promise had been fulfilled.⁹ Edward used little of the money while it was in his possession. The money of the old coinage, which made up £30,000 of the £40,000 deposited in churches at the time,¹⁰ was returned

¹ 24 May 1282: Rymer, *Foedera*, I, 608; *C.C.R.* 1279-88, p. 157; Prynn, *Records*, III, 277.

² 23 November 1282: Prynn, *Records*, III, 1263, 1264.

³ Beginning in August 1282, Martin IV lent large sums from the tenth to Charles: Jordan, *De Mercatoribus*, pp. 83, 88-95; Lunt, *Papal Revenues*, II, 143.

⁴ H.M.C., *Fourth Report*, app. p. 396; John de Oxenedes, *Chron.*, p. 261; *Ann. de Wigornia*, p. 486; Florence of Worcester, *Cont.*, p. 229; *Chron. of Hagneby*, Cotton MS. Vesp. B xi, fol. 29v. The last gives the date as 29 March. Some of the custodians of the money seem to have been forced to lend it to the king in 1282: *Cal. of Various Chancery Rolls, 1277-1326*, pp. 249, 250.

⁵ *C.C.R.* 1279-88, p. 235.

⁶ 13 May 1283: *Reg. of Peckham*, II, 548, 549; Wilkins, *Concilia*, II, 94.

⁷ 5 July 1283: Rymer, *Foedera*, I, 631; *Cal. Pap. Regs. Letters*, I, 476; Muniments of Dean and Chapter of Canterbury, Reg. I, fols. 165v, 166.

⁸ *Reg. of Peckham*, II, 565.

⁹ *Ibid.*, II, 635-39; Wilkins, *Concilia*, II, 97, 98.

¹⁰ The exact figures reported by the collectors in May 1282 were £29,237 8s. 9½d. of the old coinage and £10,558 8s. 7½d. of the new: *E.H.R.*, XXXII, 52-55.

untouched, with much of it in sacks under the original seals.¹ The only sum from this source entered among the receipts of the exchequer was £4,175 10s. 7d. of money of the new coinage,² which was repaid from the proceeds of the lay thirtieth granted in 1283.³

Meanwhile Martin IV had refused to accept Edmund in his brother's place. He expressed the hope that the king might yet find it possible to take part, but promised, if the hope should prove vain, to distribute the proceeds to the English nobles when the crusade should begin.⁴ Edward, after he was freed from the most pressing of his cares by the successful termination of the Welsh war, changed his mind, and sent to Martin IV envoys who announced his willingness to take the cross and requested several financial favors designed to meet the cost of the expedition.⁵ The pope granted some of his requests and denied others. He promised to give to the king, if he should assume the crusader's badge before the next Christmas, the yield of the tenth in England, Wales and Ireland. He would also include the tenth of Scotland, if the king of that country should consent, but not the tenth of Gascony and Ponthieu, which had been pledged to the king of France. Delivery was to be made two years before the date set for the crusade by the pope, but the king was not to be forced to depart before the expiration of five years. The pope was willing to send a nuncio to inquire whether the collectors had levied fines on delinquent taxpayers⁶ or had otherwise made illicit profit for themselves, but the fruits of such malversations as might be discovered were to be returned to the oppressed payers and not given to the king. He refused to permit a royal agent to have joint jurisdiction with the nuncio, because that would be contrary to the edict of the council of Lyons. He also ceded to the king the yield in his lands of all the other revenues decreed in aid of the Holy Land by the council, such as gifts and legacies. He granted him further a new clerical tenth to be levied for three years and the revenues which might arise from the renewed preaching of the cross, but denied the goods of intestates and annates for ten years for the erroneous reason that they had never before been granted to a prince for a crusade.

¹ *Reg. of Peckham*, II, 638, 639; *C.C.R.* 1279-88, p. 206.

² Exch. K.R. Accounts, 351/10, m. 3. A special roll summarizing the receipts and expenses for the war records nothing from this source: *ibid.*, 4/2.

³ *C.P.R.* 1281-92, p. 70.

⁴ 8 January 1283: *Cal. Pap. Regs. Letters*, I, 467; *C.C.R.* 1279-88, pp. 235, 236; Prynne, *Records*, III, 304; Rymer, *Foedera*, I, 624; Papal Bulls, 28/15.

⁵ Edward's petition is known by Martin's replies dated 26 May 1284: *Cal. Pap. Regs. Letters*, I, 473, 477; Rymer, *Foedera*, I, 641, 642; Theiner, *Vet. Mon. Hibernorum*, pp. 128, 129; Papal Bulls, 28/9.

⁶ The collectors in Scotland reported the levying of such fines: *E.H.R.*, XXXII, 59.

Edward was so dissatisfied with this grant that he attempted to obtain an alteration of its terms.¹ Negotiations, which continued throughout the remainder of the pontificate of Martin IV, were terminated by Honorius IV before his consecration.² He conceded to the king the obventions and legacies for the Holy Land which had been collected in Scotland in pursuance of the decree of the council of Lyons, but declined to extend the duration of the new tenth from three years to five. The king, not yet content, dispatched to the Roman court Otho de Grandison,³ one of his most experienced ambassadors,⁴ to reopen the question. The principal royal requests on this occasion were that he should have the tenth and the subventions in those lands of which the rulers should not take part in the crusade and that Martin's concession of a tenth for three years should be extended to ten years. Honorius gave his final reply on 17 June 1286.⁵ Serious obstacles prevented his compliance with the first request, but he was prepared to provide the king with a satisfactory aid from this source. The new tenth he would allow to run for six years. The king in return was to take the cross before the next Pentecost,⁶ depart on the crusade within the following three years, and signify his acceptance of the new terms before 2 February 1287. Edward accepted this grant, provided the pope would deliver the money already collected as soon as he should have taken the cross. This stipulation Honorius met with an offer to pay one-third of the sum during each of the three years following that event, if the king would promise to refund the money, should he fail to make the crusade.⁷ A few days later he prorogued the date for the assumption of the cross to 24 June 1287.⁸

This satisfactory conclusion of negotiations which had been protracted during four years was brought to naught by the death of Honorius. Before Edward reopened the question with Nicholas IV, he took the cross. He received it in 1287 in Gascony,⁹ where he was engaged with an attempt

¹ The rapid transfer of deposits to the Italian bankers at the time caused him alarm lest the money should be transported from England, but Matthew, cardinal deacon of S Maria in Portico, assured him that it was not intended to alienate the money or to withdraw it from England: *Cal. Pap. Regs. Letters*, I, 477-79; Prynn, *Records*, III, 320. The papal camera appears, nevertheless, to have received a small portion of the money: Arias, *Studi e Documenti*, p. 42.

² Rymer, *Foedera*, I, 652, 653; Theiner, *Vet. Mon. Hibernorum*, p. 130.

³ Exch. K.R. Accounts, 351/28, m. 4.

⁴ Kingsford, 'Sir Otho de Grandison,' *T.R.H.S.*, 3d ser., III, 125-29.

⁵ Rymer, *Foedera*, I, 666; Papal Bulls, 18/17.

⁶ While negotiations were pending, Honorius had previously fixed this date: Rymer, *Foedera*, I, 660.

⁷ 15 March 1287: Rymer, *Foedera*, I, 675; Papal Bulls, 18/18.

⁸ Rymer, *Foedera*, I, 663; Potthast, *Reg.*, 22596. For accounts of the negotiations with Honorius see Prou, *Introd. to Regs. d'Honorius IV*, pp. lxxvii-lxxi; Pawlicki, *Papst Honorius IV*, pp. 57-63.

⁹ Rishanger and Trivet placed the event at Blanquefort after Edward's return to Gascony from Aragon: *Chronicon*, p. 116; *Chron.*, p. 314. This would date it about Christmas, 1288: *Rôles Gascons*,

to make peace between the rival claimants to the throne of Sicily. After he had finished this business, on 8 May 1289 he commissioned Otho de Grandison and William of Hotham to treat with the new pope concerning the affairs of the Holy Land.¹ They went in state accompanied by a large train.² At the papal court they facilitated affairs by the distribution of lavish gifts,³ and by the payment of the tribute overdue for six years.⁴ The outcome of their diplomatic efforts was summarized in a papal letter of 7 October 1289.⁵ The collected tenth and obventions were to be paid to the king in equal portions on 24 June 1290 and 24 June 1291. The grant of an additional tenth for six years was renewed. The receipts were to be paid to the king after his departure as fast as it was collected. The collection was to be made by ecclesiastical persons 'according to the estimation, mode and form' to be ordained by the apostolic see. The response of Honorius IV with regard to the tenths of other lands was virtually repeated. The date for the beginning of the crusade was put at 24 June 1292. In order to make the grant effective Edward had to subscribe before the next Easter to the two forms enclosed in the papal letter. By one he pledged himself to restore what he received, if he should fail to make the crusade, unless the failure should be due to circumstances beyond his control, in which case he need return only half of any money which he had already spent on preparations for the expedition. By the other he accepted all the provisions of the grant.

The king gave the desired promise concerning the proceeds of the collected tenth, but in his letter of general acceptance he altered some of the prescribed terms. He fixed the date of departure at 24 June 1293, speci-

III, p. xiii. When the envoys of Argon, king of the Tartars, reached Edward in Gascony, he had already taken the cross: McLean, 'An Eastern Embassy,' *E.H.R.*, xiv, 313, 314. Chabot, another editor of the account of the embassy, places the interview with Edward in October 1287: *Histoire de Mar Jabalaha III*, pp. 181, 182. The continuator of Florence of Worcester noted the arrival of the embassy under 1287: p. 239. The year is correct, because the ambassadors returned to Rome before 2 April 1288: McLean, *loc. cit.*, pp. 315-17; Potthast, *Reg.*, 22631. Two chroniclers tell of Edward's assumption of the cross under the annal for 1287: *Flores Historiarum*, III, 65; *Ann. de Waverleia*, p. 404. According to their accounts, it was done after an illness and in the presence of a papal legate sent for the purpose. Edward fell and broke his collar bone near the end of February 1287: John de Oxenedes, *Chron.*, pp. 269, 270. The archbishop of Ravenna, a papal nuncio, placed the sign of the cross upon the king without papal authority: *Cal. Pap. Regs. Letters*, I, 552. He must have been appointed nuncio by Honorius before the end of his pontificate on 3 April 1287, since the nuncio was present at the ratification of the treaty of Oloron on 25 July 1287: Rymer, *Foedera*, I, 677. The archbishop was continued in office by Nicholas IV, who was elected on 22 February 1288: *Regs. de Nicolas IV*, 566, 567.

¹ *Documents illustrative of the History of Scotland*, I, 90, 91.

² Chancery Misc., 4/5, mems. 7, 7v.

³ *C.P.R. 1281-92*, p. 394; Exch. K.R. Accounts, 352/21, m. 4.

⁴ Rymer, *Foedera*, I, 719; above, p. 163.

⁵ Rymer, *Foedera*, I, 714; Theiner, *Vet. Mon. Hibernorum*, pp. 146-48 (dated 5 November).

fied that the new sexennial tenth and obventions should be delivered to him one-half before his departure and the remainder as it should be collected, and provided that the tenth should be collected by ecclesiastical persons of his kingdom.¹ Recognizing that his qualifications would void the grant, he sent new nuncios to persuade the pope to accept them.² One of them Nicholas had conceded before the royal envoys arrived at his court. On 10 January 1290, he granted to the king the obventions for the Holy Land which had accumulated since the grant of them made by Honorius IV and which should accumulate during the period while the new tenth was being collected.³ In response to the representations of the royal nuncios, this concession was incorporated along with the other changes desired by the king in an entirely new grant on 16 May 1290. It altered slightly, however, the terms which the king had accepted in his letter. Only as much of the new tenth as had been collected was to be paid to the king on the date of his departure, the pope was to appoint the native collectors, and the dates for the delivery of the old tenth were advanced to 24 June in 1291 and in 1292.⁴ The new pledge and acceptance required of the king were attested in October,⁵ and on 18 March 1291 Nicholas issued the grant in an unconditional form.⁶ Thus the favors which Edward had sought so persistently ever since 1283 were finally obtained in 1291.

The papal executory letters arranging for delivery to the king of the first half of the collected tenth on 24 June 1291 were issued on 18 March 1291.⁷ They ordered the Ricciardi to pay 100,000 marks from the money of the tenth deposited outside of England and commissioned Geoffrey of Vezzano, the dean of St Paul's and the archdeacon of Middlesex, to make up the balance of the half from the deposits in England. The king was again informed that the second half would be rendered on 24 June 1292.

¹ Both letters dated 3 February 1290: *C.P.R. 1281-92*, p. 341; Prynne, *Records*, III, 428, 429; *Ancient Corres.*, XIII, 199, 200; Rymer, *Foedera*, I, 705. Dated wrongly in the last.

² *Exch. K.R. Accounts*, 352/12, fol. 15v; *C.C.R. 1288-96*, p. 122.

³ Rymer, *Foedera*, I, 725.

⁴ *Ibid.*, I, 746; Raynaldus, *Ann.*, 1291, §§ 12-14; *Cal. Pap. Regs. Letters*, I, 527; *Regs. de Nicolas IV*, 4310.

⁵ Rymer, *Foedera*, I, 741, 746, 747.

⁶ *Ibid.*, I, 747; *Cal. Pap. Regs. Letters*, I, 551; *Regs. de Nicolas IV*, 6664-66; Cotton MS. Cleop. E I, fol. 224. It was accompanied by supplementary letters. One explained more fully than had yet been done what portion of the collected tenth from other lands he might expect, and denied his request for the subsidy of 100,000 pounds of Tours which the Cistercians had undertaken to pay. Another repeated the grant of current obventions. A third reminded him again that the tenth had been granted to him on condition that he set out for the Holy Land: Rymer, *Foedera*, I, 743; *Cal. Pap. Regs. Letters*, I, 551, 555, 556.

⁷ Rymer, *Foedera*, I, 750; *Regs. de Nicolas IV*, 6668; Palgrave, *Antient Kalendars*, I, 98, no. 61; *Cal. Pap. Regs. Letters*, I, 552.

The first instalment was delivered to the king,¹ but the second was not. On 13 June 1292 Edward appointed his treasurer 'to sue and receive from the papal agents the second instalment of 100,000 marks due at midsummer and any surplus which might remain.' On the same date an acquittance in which he acknowledged receipt by his treasurer from Geoffrey of Vezzano and John de Luke, canon of St Paul's, of a second sum of 100,000 marks, was written.² The acquittance was dated eleven days before the payment was due, and its association with the appointment of the treasurer to receive the payment indicates that it was given to him to be delivered to the papal agents only after they had rendered payment. It was never delivered to the papal agents. If the king received two payments of 100,000 marks each, it is impossible to account for the sums which the papacy received from the tenth of the British Isles.

The total yield of the tenth in England and Wales up to 1287 was £128,388, and in Scotland it was £17,884.³ No more than a small additional sum was likely to have been recovered subsequently. The income from the Irish tenth, which has to be estimated,⁴ may be put at £10,100.⁵ The total yield of the tenth in the British Isles may be placed, therefore, at some figure between £156,000 and £157,000, with a high degree of probability that it could not have been much more. If Edward received £133,333 6s. 8d., the papacy could have received little more than £24,000. The scattered items of papal receipts which have come to light exceed that figure by a substantial sum. On 12 September 1291 the papacy had received £15,666 from the Buonsignori, and £7,000 left with the firm at that time were lost by its subsequent failure.⁶ In 1300 English depositaries

¹ Arias, *Studi e Documenti*, pp. 58–60. See also Re, 'La Compagnia dei Riccardi,' *Archivio della R. Società Romana di Storia patria*, xxxvii, 100–2; *C.P.R. 1292–1301*, p. 33. The payment is not well attested in royal documents. A search in the enrolments of the chancery, exchequer and wardrobe brought to light no acquittance issued for the first payment and no entry of either payment in the receipt rolls. Receipts, however, were not always entered in the receipt rolls. The papal mandate ordering the Ricciardi to deliver 100,000 marks was preserved in the exchequer: Palgrave, *Antient Kalendars*, i, 98, no. 61. The firm would appear to have had no reason to surrender the document, unless it made the payment.

² *C.P.R. 1281–92*, pp. 494, 495; Prynne, *Records*, iii, 471. The mention of a second instalment seems to establish the previous render of the first.

³ *E.H.R.*, xxxii, 59, 60.

⁴ Accounts for the Irish tenth were rendered, but they are not preserved in *Collectorie 213: Cal. of Documents relating to Ireland, 1285–92*, p. 526, no. 1184.

⁵ Four cartularies of the fourteenth century, which record correctly the amount of the English tenth on the basis of the valuation of 1291–93, put the Irish tenth by the same valuation at £1647 16s. 4d.: Harl. MS. 926, fol. 2; 3720, fol. 16v; Lambeth Palace Library, MS. 371, fol. 56v; *Arch. Cambrensis*, 4th ser., xiv, 287. The above sum is calculated on the assumption that the valuation of 1276 was slightly more than that of 1291–93 in Ireland, as it was in England.

⁶ Jordan, 'La Faillite,' *Mélanges Paul Fabre*, pp. 429, 432–35; Arias, *Studi e Documenti*, pp. 58–60, 69; Reg. Avin. 76, fols. 524, 524v. The sum of £15,666 was made up of 20,000 marks which the firm

transferred to papal collectors £6,500 for delivery to the pope, and they probably transferred £12,066 additional of which record does not appear.¹ The mere existence of this money in the hands of local depositaries demonstrates that Edward had not received the whole of the tenth in 1291 and 1292. Of the English tenth £4,819 were expended for its collection,² and £9,796 were paid to the French king for the half of the first year.³ From the Scottish tenth the papacy used £834 for the cost of collection, £1,137 transferred to the king of France,⁴ and £7,624 paid to cameral merchants to reimburse them for a loan which they made to Charles of Anjou on the guarantee of Martin IV.⁵ It does not appear possible, therefore, for Edward to have received two payments of 100,000 marks each.

During the course of these prolonged negotiations Edward again utilized the proceeds of the tenth in a manner thoroughly characteristic of the financial expedients to which he was forced to resort constantly. In 1286, when the receipts of the exchequer were barely sufficient to meet ordinary expenditure,⁶ he went to Gascony. He had to provide additional funds not only for the heavy expenses of the journey⁷ but also for the ransom of his cousin, Charles of Salerno, who was detained in captivity by Alphonse of Aragon.¹ In this emergency he applied to Geoffrey of Vezzano for a loan from the money of the tenth then in deposit.⁹ The papal collector had no authority to make such a loan,¹⁰ but he agreed to a complicated arrangement which gave the king the use of the money and

had rendered to the papacy and of 3,000 marks which cancelled what the papacy owed the firm. It is possible that the Buonsignori obtained credit for the former sum by delivery of it to the Ricciardi for payment to Edward I.

¹ Below, pp. 343-45 and the references there cited.

² Compiled from the reports of the collectors, omitting the expenses not approved: *E.H.R.*, xxxii, 51-58.

³ *E.H.R.*, xxxii, 51, 56, 73-75; *Cal. Pap. Regs. Letters*, i, 466. The sum is probably incomplete. The sum credited by the papacy to the Buonsignori in 1291 may have included £867 of this sum: *E.H.R.*, xxxii, 77.

⁴ *E.H.R.*, xxxii, 59-60.

⁵ *E.H.R.*, xxxii, 61; Jordan, *De Mercatoribus*, pp. 83-96.

⁶ Whitwell, 'Italian Bankers,' *T.R.H.S.*, new ser., xvii, 183.

⁷ Ramsay, *Dawn*, p. 357.

⁸ Edward lent 10,000 marks for the ransom: Rymer, *Foedera*, i, 694; *C.P.R. 1292-1301*, p. 409; *Exch. K.R. Accounts*, 352/12, fol. 4.

⁹ Edward had previously obtained a few small loans, amounting to £8093 6s. 8d., from the depositaries or deputy collectors, but most of them — if not all — were for short terms and soon repaid: *C.P.R. 1272-81*, pp. 147, 276, 305; *L.T.R. Enrolled Accounts*, Wardrobe no. 2, m. 1; *Liberate Roll* 38, m. 1; *Issue Roll* 22, m. 1.

¹⁰ The papal orders to keep the money in deposit were interpreted so strictly by the collectors that John of Darlington, when Edward ordered the collectors in 1278 to hand over the money of the old coinage in their possession for recoinage, replied before the king's council that they would not without orders to that effect from the pope: *E.H.R.*, xxxii, 85.

avoided any technical violation of the papal commands.¹ During 1285 and 1286 the deposits in several churches were surveyed by sheriffs, who carried them to the New Temple in London and delivered them to the collector.² From the fund thus amassed the king received £18,566 13s. 4d.³ Repayment was guaranteed by several sureties, whose help was solicited by the experienced royal treasurer, John de Kirkeby.⁴ Each guarantor acknowledged the receipt in deposit from Geoffrey of a certain sum, which he agreed to repay within two months of demand.⁵ The Ricciardi became surety for £8,000, the prior of the Hospitallers for 5,000 marks, and fourteen monasteries for the remainder.⁶ None of the money passed into the hands of the sureties who acknowledged receipt of it in deposit.⁷ Instead, the king received it and gave his letters obligatory for it, not to the collectors, but to the sureties. To each he promised repayment within two months of demand made on the depositary by the papal collector.⁸

Edward remained in undisturbed possession of this loan until 1300, when Boniface VIII announced his intention to employ the remainder of the English tenth for the needs of the Roman church. On 5 February he commissioned the bishop of Winchester and Bartholomew of Ferentino, a canon of St Paul's, to collect the deposits still in the hands of English ecclesiastics⁹ and to assign them to a firm of papal bankers for transmission to Rome.¹¹ On 19 March the commissioners notified each depositary to deliver to them within two months whatever funds he had in custody.¹¹

¹ I have found no such agreement, but one must have existed. Messengers were going back and forth between the king and Geoffrey, and Geoffrey's clerk drew up the documents required for the transaction: Treasury of Receipt, Misc. Bk. 201, pp. 52, 56; Exch. K.R. Accounts, 352/21, m. 4. The arrangement is thus described in a wardrobe account: 'Denarios decime receptos de mutuo de magistro Giffredo de Vezano, collectore eiusdem, pro quibus quidam abbates et priores Anglie fuerunt obligati': Exch. K.R. Accounts, 351/27, m. 1.

² Madox, *Exchequer*, I, 271, note g; Bodleian Library, MS. Ch. Cambs. a 1, no. 10; *C.C.R.* 1279-88, p. 505; *Charters and Records of Hereford Cathedral*, pp. 155, 156. The editor of the last confuses this transaction with the seizure of 1283. Other writers look upon it as a second seizure of the funds of the crusade: Stevens, *Historical Account of the Taxes*, p. 83.

³ *C.P.R.* 1281-92, pp. 231, 232, 244; Prynne, *Records*, III, 359; Exch. K.R. Accounts, 351/10, m. 3; 351/27, m. 1.

⁴ *Gesta Abbatum*, I, 468, 469.

⁵ Patent Roll, 14 Edward I, m. 17; Lunt, *Papal Revenues*, I, 270.

⁶ *C.P.R.* 1281-92, pp. 231, 232, 244; Muniments of Dean and Chapter of Ely, Misc. Charter, Chapman no. 114.

⁷ *Gesta Abbatum*, II, 29.

⁸ *C.P.R.* 1281-92, p. 231.

⁹ *Gesta Abbatum*, II, 29; *Regs. de Boniface VIII*, 3441.

¹⁰ *Regs. de Boniface VIII*, 3442; *Cal. Pap. Regs. Letters*, I, 585.

¹¹ *Gesta Abbatum*, II, 29-31; Cotton MS. Ves. P. xxii, fol. 53v; Muniments of Dean and Chapter of Westminster, 15/5776.

The king's sureties had to meet their obligations as depositaries, but few, if any, received reimbursement from the king within the stipulated period.¹ Otherwise the king did what he could for them. On 8 May he held a conference with Geoffrey,² which may have resulted in a delay of the date of payment. The collection of the deposits still continued on 23 December 1300, when the bishop and the canon appointed John de Luke, canon of London, and John Bonichi of Siena to act in their stead.³ The abbot of Westminster, who was cited on the same day to deliver a deposit of 1,000 marks did not comply until 1 April 1301.⁴ On 27 March 1301 the king ordered John Bonichi to discontinue the exaction from the depositaries for his expenses of one mark for every hundred which the depositary owed.⁵ It may have been his desire to delay the collection further which prompted him to remind the keepers of the English ports, on 14 February 1301, that no money was to leave the kingdom without a special royal license.⁶

The king might postpone the evil day, but he could not escape it. Many of the depositaries petitioned him at the parliament of Lincoln, held in January 1301, for the reimbursement which he was pledged to make within two months of demand of the deposits by the papal collectors.⁷ Their claims were acknowledged, but they found the recovery a slow process. The experience of the abbot and convent of Westminster was sufficiently typical. In answer to their petition for repayment of 1,000 marks, they received, on 28 February 1301, a royal order on the exchequer for that amount. They failed to secure the execution of that order, and on 28 July 1302 they obtained a second. This was finally honored on 4 October by the assignment to them for twelve years of the income from four royal manors and from a court in the city of Lincoln. These revenues were already burdened with an annual charge of £60 which the abbot and convent had to take over. At the end of the period they would have a surplus of £53 6s. 8d. in excess of 1,000 marks, which they were to return to the exchequer. Before the term of the grant had

¹ Eleven certainly were not paid until long after. I have found no evidence concerning five.

² *Liber Quotidianus Garderobae*, p. 61.

³ Muniments of Dean and Chapter of Westminster, 72/12325.

⁴ K.R. Memo. Roll 74, m. 15. The collectors delivered £1657 14s. to the Mozzi on 10 February 1301: Arm. xxxv, 140, fol. 24.

⁵ Prynne, *Records*, III, 908. In this letter he placed the sum which the monasteries had guaranteed at 10,000 marks.

⁶ Rymer, *Foedera*, I, 928.

⁷ Exch. K.R. Ecclesiastical Documents 8/6; K.R. Memo. Roll, 28-29 Edward I, m. 11-16; 31 Edward I, m. 44v; 32-33 Edward I, m. 14v, 16v; 4 Edward II, m. 21; Exch. of Receipt, Misc. Roll 50, verso; Cotton MS. Claud. C ix, fol. 203; Cleop. C vii, fol. 177; Cleop. E i, fol. 238v; Vesp. E xxii, fols. 53v, 68v; Harl. MS. 230, fol. 131v; 645, fol. 69; C.P.R. 1301-7, pp. 119, 120, 226, 363, 364, 446, 447; Prynne, *Records*, III, 907, 908, 911, 924.

expired, Edward II assigned the income from one of the manors to the Frescobaldi. Because the abbacy was then vacant, the error remained undetected for some time, and it was not until 1319 that the king restored the income to the abbot and convent to be held until the payment of 1,000 marks should have been completed.¹

Meanwhile Edward's troubles with France, Wales and Scotland had relegated his project of a crusade to the background.² The papacy likewise had had its interest in the Holy Land distracted by wars vital to its political interests nearer home. The financial help which Boniface VIII gave to the cause of the Angevin house in Sicily was at the root of his diversion of the proceeds of the English tenth to the necessities of the Roman church. Though previous popes had used much of the money produced by the tenth imposed by the council of Lyons to aid the same cause, they had accomplished their purpose by means of loans which nominally were to be restored to the fund for the crusade. They had, however, kept their hands off the English tenth, because Edward I was negotiating with them for the organization of a crusade. Boniface VIII was the first pope to make no distinction between the tenth imposed by the council and the revenues owed to the papal camera. He ordered the remaining money of the tenth everywhere to be delivered to the cameral merchants for transfer to his camera.³ He made no exception of the English tenth, because Edward had forfeited any right to the money by his failure to keep the contract which he had made with Nicholas IV. The policy threatened Edward with serious financial embarrassment. He had not only to repay the loan which he had made in 1286, but he was also liable for repayment of the 100,000 marks which he had received in 1291. Late in 1300 his ambassadors appeared at the papal court,⁴ where they soon effected a compromise.⁵ Edward was to retain the portion of

¹ K.R. Memo. Roll, 28-29 Edward I, m. 15; Muniments of Dean and Chapter of Westminster, 58/9506. Similar difficulties encountered by Merton and Osney are related in *V.C.H. Surrey*, II, 97; Burrows, *Collectanea*, 3d ser., pp. 106, 107. For the arrangements made with other monasteries see the documents cited in the preceding note; *Ancient Corres.*, xxxii, 36, 37; *Gesta Abbatum*, II, 28-34.

² Langtoft, *Chron.*, II, 267.

³ Jordan, *De Mercatoribus*, pp. 88-107.

⁴ The negotiations were conducted by Otho de Grandison and Bartholomew of Ferentino: Prynne, *Records*, III, 989. Otho was appointed envoy on 26 September 1300: *C.P.R. 1292-1301*, p. 543. Bartholomew was present at the court on 31 December 1300: *Oblig.* I, fol. 13. Gerard, archdeacon of Richmond, who brought the news of the papal grants to Edward, left England for Rome on 29 December 1300, left Rome on 23 June and reached the king before 24 August: Prynne, *Records*, III, 989, 912; *Liber Quotidianus Garderobae*, p. 86.

⁵ The settlement was part of a general arrangement which covered all papal tenths previously levied in England and a new tenth which was to be levied during the next three years: Rymer, *Foedera*, I, 928-31; below, pp. 364, 366.

the English tenth which he had in his possession on 12 March 1301; the pope was to take the remainder.¹

This agreement established a fairly equal division of the gross income. The payment of £66,666 13s. 4d. which Edward had received from the tenth of the British Isles in 1291 must have come mainly from the English tenth. If all of it was taken from the English tenth,² £61,721 8s. 4½d. of that tenth was left for the pope.³ The king's receipts, however, represented net income, while the papacy had to deduct £4,819 and more for the cost of collection and transportation of the funds, £9,796 and more paid to the king of France for the yield of the first half-year, and £7,000 lost by the failure of the Buonsignori.⁴ If the money paid to the king in 1291 came wholly from the English tenth, as seems probable, the net receipts of the pope from the English tenth were no more than £40,106, and even if part of the money delivered to the king came from Scotland and Ireland, the net share of the pope was substantially smaller than that of the king.⁵ But the real inequality of the transaction cannot be expressed by figures alone. The papacy had borne the brunt of the hostile criticism aroused by the tax. The king had gained credit for aiding his subjects to resist the imposition of the tax, and had acquired also the lion's share of the spoils.

2. SEXENNIAL TENTH IMPOSED IN 1291

The sexennial tenth which Nicholas IV granted to Edward I on 18 March 1291 was appointed to begin on 24 June. It was to be levied upon ecclesiastical rents and revenues assessed according to their true value, as far as the churches and rectors could bear such a valuation without serious inconvenience. The Templars and Hospitallers received the only general exemptions⁶ other than those stated in the bull concerning doubts.⁷

¹ Prynne, *Records*, III, 1007; *Northern Regs.*, p. 147; Rymer, *Foedera*, I, 931; Papal Bulls, 6/2.

² This is probable. The Buonsignori, who paid 16,720 marks of it to the Ricciardi for delivery to the king, derived the whole of it from the English tenth: Arias, *Studi e Documenti*, pp. 58, 59. The royal acquittance for the second payment of 100,000 marks, which probably was never executed, specified that the money was from the English tenth: Prynne, *Records*, III, 471.

³ The computation is based on the assumptions that the sum of £128,388 1s. 8½d., which had been collected in 1287, was not later increased, and that Edward received only one payment of 100,000 marks.

⁴ Above, pp. 341, 342.

⁵ Since £14,595 of the Scottish tenth were spent otherwise, the king could have received no more than £3,289 from that source. The estimated yield of the Irish tenth, with no allowance for expenses and disbursements, was only £10,100: above, pp. 341, 342.

⁶ The income of the Roman hospital of the Holy Ghost in Sassia was later exempted by papal order: *Cal. Pap. Regs. Letters*, I, 534.

⁷ The grant called it the bull carried to Edward I by the late bishop of Grosseto. This was a slightly revised edition of the bull concerning doubts: *ibid.*, I, 553.

The Cistercians lost the exemption from papal income taxes which they had enjoyed previously. If doubts should arise concerning the interpretation of the grant, they were to be left to the judgment of the apostolic see.¹ Payment of the tax was mandatory upon the clergy.² John of Pontoise, bishop of Winchester, and Oliver Sutton, bishop of Lincoln, were commissioned to assess and collect the tenth, with power to enforce payment by papal authority, to absolve from ecclesiastical censures and to dispense for irregularities.³ They were to assess the tenth in accordance with the regulations used in 1276, with the exception that the taxpayers were allowed no choice of the method to be employed.⁴ The valuation was to be made in each diocese with the advice of discreet men of the diocese, and other discreet men were to be appointed collectors in the diocese with the counsel of the bishop. The principal collectors were to exact from both assessors and collectors an oath to perform their duties faithfully, and they were to require accounts from the latter at least once a year. The deputy collectors whose revenues were not over 100 marks a year were to be exempt from the tenth. Neither the collectors nor their deputies were to burden the taxpayers with anything beyond the payment of the tenth. The money was to be kept by the collectors deposited in safe places until the conditions under which it was to be assigned to the king should have been fulfilled, when the money was to be delivered.⁵

The collectors delayed the commencement of their work until the king had returned from Scotland. On the last day of August they consulted the royal treasurer, and on the next day published their commission at the New Temple in London.⁶ A few days later they dispatched notarial copies of the commission and other papal letters concerning the tenth, accompanied by their own instructions with regard to the appointment of local assessors of spiritualities, to the bishops of England and Wales.⁷

¹ Rymer, *Foedera*, I, 747.

² *Propter miseriam Terrae*, 18 March 1291: *ibid.*, I, 750; *Regs. de Nicolas IV*, 6673; *Cal. Pap. Regs. Letters*, I, 552. The annalist of Osney described the tenth as granted 'de plenitudine potestatis': p. 331.

³ *Non absque letitie*, 18 March 1291: *Regs. de Nicolas IV*, 6670; Rymer, *Foedera*, I, 751; Cotton, *Historia*, pp. 183–87; Muniments of Dean and Chapter of Canterbury, Reg. I, fols. 166^v, 167; *Cal. Pap. Regs. Letters*, I, 552.

⁴ *In commissis vobis*, 18 March 1291: *Regs. de Nicolas IV*, 6693; Cotton, *Historia*, pp. 191–98; Muniments of Dean and Chapter of Canterbury, Reg. I, fol. 163; *Cal. Pap. Regs. Letters*, I, 553. For other slight differences see Lunt, *Papal Revenues*, II, 162–69.

⁵ *Collectionem decime omnium*, 1 April 1291: *Regs. de Nicolas IV*, 6696; Cotton, *Historia*, pp. 189–91; *Cal. Pap. Regs. Letters*, I, 554. The dean and a canon of York and the archdeacons of Wells and Middlesex were appointed to see that the delivery was made: *Cal. Pap. Regs. Letters*, I, 555.

⁶ Lincoln Diocesan Registry, Reg. of Sutton, fol. 42.

⁷ The notary was paid by the king and the letters were carried by royal messengers: Devon, *Issues*, pp. 105, 106.

The assessors, though they received their commissions and instructions from the collectors,¹ were named in each diocese by the bishop.² Two were appointed to assess spiritualities and another two to assess temporalities.³ The former were selected from the local clergy, but the latter were generally not beneficed in the diocese. The latter were often given charge of the work in more than one diocese,⁴ and sometimes they assessed the spiritualities of religious houses in addition to the temporalities.⁵ The assessors of spiritualities performed the major portion of their work late in 1291,⁶ though in some dioceses they continued into January 1292.⁷ The assessors of temporalities began to hold inquisitions as early as 18 February 1292,⁸ and some of them were still collecting information on 19 April.⁹ By that date the compilation of the valuation was probably nearing completion.¹⁰

The values were established by the process of common estimation. The assessors of spiritualities relied solely upon the evidence of neighboring rectors, vicars and chaplains given under oath in each rural deanery.¹¹ In the diocese of Bangor the information for the whole of each deanery was supplied by the rural dean and a few other rectors or vicars selected from the ruri-decanal chapter,¹² but this reversion to the practice followed in the original compilation of the valuation of Norwich was probably exceptional. In some dioceses all the resident clergy possessing spiritualities in a deanery were summoned and placed under oath, in accordance with the precedents set in 1269 and 1276. The assessors of temporalities also utilized the rural deaneries as the most convenient areas for their

¹ *Taxatio*, pp. 151, 241; *Reg. of le Romeyn*, II, 110, 111.

² *Reg. of le Romeyn*, II, 110, 111; Cotton, *Historia*, p. 198; Worcester Diocesan Registry, Reg. of Giffard, fol. 372.

³ Below, pp. 631, 632; Cotton, *Hist.*, p. 198; John de Oxenedes, *Chron.*, p. 260; *Liber de Bernewelle*, p. 200; Cotton MS. Nero E VII, fol. 152; Vesp. E XIX, fols. 63, 64. In the diocese of Bangor the assessments were said to have been made by the dean and ruri-decanal juries, but assessors were in charge of the jurors, though their names were not given: *Taxatio*, pp. 290, 291.

⁴ Below, app. p. 631.

⁵ *Reg. of St Augustine's, Canterbury*, I, 317; *Documents relating to Penwortham*, p. 13; Lunt, *Papal Revenues*, II, 188; Harl. MS. 622, fol. 121v; Cotton MS. Vesp. E XIX, fols. 63, 64.

⁶ *Taxatio*, pp. 285, 314; *Coucher Book of Furness*, III, 636; *Ann. de Dunstaplia*, p. 367; Cotton MS. Nero E VII, fol. 152; Faustina A IV, fol. 22v; Bodleian Library, MS. Laud. 642, fol. 37; College of Arms, Arundel MS. 30, fol. 180v; Muniments of Dean and Chapter of Durham, Locellus XVIII, 1.

⁷ John de Oxenedes, *Chron.*, p. 260.

⁸ *Reg. Roffense*, p. 89.

⁹ Lunt, *Papal Revenues*, II, 188.

¹⁰ Cotton, *Historia*, p. 198; *Reg. of St Augustine's, Canterbury*, I, 317; *Ann. de Wigornia*, p. 509; *Coucher Book of Furness*, III, 633; *Ann. de Dunstaplia*, p. 372; *Taxatio*, p. 325; Cart. of Blackborough, fol. 166; Muniments of Dean and Chapter of Durham, Locellus XIX, 98**.

¹¹ Cotton, *Historia*, p. 198.

¹² *Taxatio*, pp. 290, 291.

work.¹ They exacted the sworn testimony of laymen as well as ecclesiastics.² In the diocese of Norwich, for example, they summoned the abbots, priors, obedientiaries and other religious who possessed property in the deanery, the stewards and bailiffs of episcopal and monastic manors in the district, and four to six of the villagers as well as the rector or vicar from each parish.³ From these witnesses several different groups were required to attest the value of each property.⁴ In the diocese of Lincoln the assessors obtained an estimate of each parcel of temporalities from a jury of laymen, a jury of clerks and the possessor of the property.⁵ If these estimates differed, the assessors finally determined the appraised value.⁶ The assessors were not bound by the appraisals of the juries, and they might depart from them entirely. The monastic chroniclers wrote bitter words about assessors who arbitrarily doubled, trebled or quadrupled the sworn verdicts of the juries.⁷ These statements appear to have exaggerated the increases which the assessors actually made. The abbot and convent of Bury St Edmunds were so disturbed by the practice that they petitioned the collectors for redress, setting forth the estimates of the juries and the assessments of the assessors for several of their manors. The figures were for Mildenhall respectively £86 7s. 8½d. and £110 8s. 1½d., for Barton Parva £16 6s. 4½d. and £19 1s. 2½d., for Whepstead £44 6s. and £45 16s., and for Rougham £32 ¼d. and £43 6s. 4¼d.⁸ When the assessors finished taking evidence, they entered the assessment on rolls, which they delivered to the collectors. The collectors then sent copies of the appropriate portions under their seals to their deputies in each diocese to guide them in their demands upon the clergy.⁹

The valuation did not pass without protest from the clergy. The chroniclers decried its severity almost universally,¹⁰ and several claimed that it was higher even than the valuation of 1276.¹¹ 'Intolerable,' 'excessive,' 'exceeding the ancient valuation incomparably,' and 'exceeding

¹ Cotton, *Historia*, p. 198.

² *Reg. of St Augustine's, Canterbury*, I, 317; *Coucher Book of Furness*, III, 633; *Liber de Bernewelle*, p. 200.

³ Cotton, *Historia*, p. 198; John de Oxenedes, *Chron.*, p. 260.

⁴ John de Oxenedes, *Chron.*, p. 260.

⁵ Lunt, *Papal Revenues*, II, 188, 189. The practice was followed elsewhere: *Liber de Bernewelle*, p. 200.

⁶ John de Oxenedes, *Chron.*, p. 260.

⁷ John de Oxenedes, *Chron.*, p. 260; Cotton, *Historia*, p. 199; *Liber de Bernewelle*, p. 200.

⁸ There are many other items: Duchy of Lancaster, Misc. Bk. 5, fols. 83-83v; Lunt, *Papal Revenues*, II, 191-93.

⁹ Worcester Diocesan Registry, Reg. of Giffard, fols. 369, 372, 372v; Addit. MS. 35296, fols. 40v, 41; Muniments of Dean and Chapter of Durham, Locellus XIX, 98**.

¹⁰ *Ann. de Oseneia*, pp. 331, 333; *Ann. de Wigornia*, p. 509; Cotton, *Historia*, p. 199.

¹¹ John de Oxenedes, *Chron.*, p. 260; *Liber de Bernewelle*, p. 191.

all valuations previously made' were typical adjectives and descriptive phrases applied to the valuation by indignant writers, who did not neglect the time-honored sighs for the greater freedom of Pharaoh's Egyptian priests. Oliver Sutton, according to his registrar and biographer, repented deeply before his death his part in the excessive taxation.¹ More to the point were the complaints of taxpayers which convinced the collectors that revision was necessary.² By 19 May 1292 they had begun to issue orders for a new assessment of the revenues of those who had protested. The work was done in each diocese by the bishop, whom they instructed to establish by the inquisition of trustworthy men the true value of the revenues of any complainant who would attest his claim of an unfair valuation by oath. Any changes which resulted he was to forward to the collectors.³ In the diocese of Lincoln Oliver Sutton also corrected errors in the other direction and raised the assessed value of revenues which had been set too low by his commissioners.⁴ This type of revision was carried further in 1293. On 22 June the bishops ordered the bishop of Worcester to institute a general inquiry concerning benefices and obventions which had been assessed at 'notably less than the true value.' If he discovered such an instance, he was to compel the possessor to swear to the true value and also to establish the true value by inquiry conducted by himself, his archdeacons or others sworn for the purpose.⁵ The collectors also secured the inclusion of some items which had been omitted entirely.⁶ On the other hand, they eliminated the revenues of hospitals which were exempted by the bull concerning doubts but had been included by the assessors.⁷

These arrangements appear to have applied only to spiritualities, but taxpayers who claimed excessive valuations of their temporalities could obtain a revision of them by setting forth the reasons for their claims. The abbot and convent of Bury St Edmunds contested the valuation of

¹ Schalby, *Lives*, p. 209.

² *Liber de Bernewelle*, p. 200. Possibly the clergy intended also to make a general complaint to the pope. At a convocation of the province of Canterbury held on 13 February 1292 they appointed nuncios to go to Rome for the good of their churches, but their commission was revoked on account of the death of Nicholas IV on 4 April: *Ann. de Wigornia*, p. 507; *Reg. of Swinfield*, p. 289; *Ann. de Dunstaplia*, pp. 366, 367.

³ Worcester Diocesan Registry, Reg. of Giffard, fol. 369; *Liber de Bernewelle*, p. 200; *Pinchbeck Reg.*, I, 445, 446; College of Arms, Arundel MS. 30, fol. 181v; Cotton MS. Vitell. A II, fol. 104.

⁴ *Ann. de Dunstaplia*, p. 382; Bodleian Library, MS. Laud. 642, fol. 37; Muniments of Dean and Chapter of Lincoln, A. 1. vol. 14, fol. 115, no. 7.

⁵ The returns were to reach the collectors by 1 November 1293: Worcester Diocesan Registry, Reg. of Giffard, fol. 372. A similar letter was addressed to the archbishop of York on 21 June: *Reg. of le Romeyn*, I, 128-31, 230.

⁶ *Taxatio*, pp. 267, 268.

⁷ Bodleian Library, MS. Rawlinson D 763, fol. 4v; Chancery Misc. 19/2, no. 26.

many items of their revenue. They explained, for example, that in the valuation of the manor of Mildenhall annual charges of £1 for pittances of the monks, of £13 6s. 8d. paid to the abbot of Battle, and of £1 devoted to a chantry in behalf of John de Histon had not been deducted by the assessors. Their petition based upon these and similar claims¹ resulted in a substantial abatement of the assessment of several items.² The abbot protested the appraisal of his barony at £1,000, which was the value placed upon it in 1276. Meanwhile three manors had been separated from the barony, and to attain a valuation of £1,000 in 1292 the assessors had included some of his possessions twice, charged him with revenues in places where he had none, and exceeded the true value of several manors.³ The revision which followed his representation reduced his assessment to £766 13s. 4d.⁴ It was ironical that the bishop of Winchester should have found it necessary to ask the assessors of his own temporalities to moderate their original assessment.⁵

The revision of the spiritualities probably left the majority of items at their original values.⁶ A fragment of the first assessment for the archdeaconries of Suffolk and Sudbury displays eighty-one items increased by the revision, five decreased, and the vast majority left the same.⁷ Five churches belonging to the priory of Alvingham remained the same and one was increased.⁸ Yet this indication that the general effect of the revision was to increase more items than were decreased does not hold good universally. In 1315 the beneficed clergy of the archdeaconry of Stow petitioned in parliament to be allowed to pay a tenth then current according to the revised form of the valuation of 1291, which had been accepted in the Roman court but was being contested by the exchequer. The original valuation, they averred, had been too high, and the revision moderated it.⁹ In 1293 the archbishop of York, after holding the inquiry demanded by the collectors, reported that no benefice in his diocese was assessed too low, but that several were assessed too high.¹⁰ In the diocese of Hereford likewise the general result of the revision was a reduction.¹¹

¹ Lunt, *Papal Revenues*, II, 191–93.

² Compare items listed in Duchy of Lancaster, Misc. Bk. 5, fols. 83, 83^v with the same items in the *Taxatio*, pp. 124–33. See also College of Arms, Arundel MS. 30, fol. 181^v.

³ *Pinchbeck Reg.*, I, 445–49.

⁴ *Ibid.*; *Taxatio*, p. 133.

⁵ *Reg. of Pontissara*, I, 197; *Taxatio*, p. 215.

⁶ *Ann. de Dunstaplia*, p. 382.

⁷ Hudson, *Norwich Taxation*, pp. 82–102.

⁸ Bodleian Library, MS. Laud 642, fol. 37.

⁹ *Rot. Parl.*, I, 314.

¹⁰ *Reg. of le Romeyn*, I, 133.

¹¹ *Taxatio*, p. 176.

The fragments of revised temporalities which admit of comparison display a decrease, but they are too few to establish the general trend. If it be assumed that the assertions of the chroniclers with regard to the excess of the valuation over that of 1276 applied to the original valuation and were free from exaggeration, the complete result of the revision was a substantial reduction, since the valuation of 1276 was actually higher than the revised form of the later valuation.

The clergy were not satisfied even with the revised valuation. In 1297 they included a request for its general modification in a list of grievances which they placed before the pope. They still longed to return to the less rigorous valuation of Norwich. Their petition did not receive a favorable response.¹

Though the general revision of the valuation was finished in 1293, the correction of erroneous items continued for a long time thereafter. In 1294 the prior and convent of Bury submitted to the collectors several mistakes in their assessment. In Ixworth the convent received 10s. of spiritualities and was taxed on £9 17s. 7d. of temporalities, at North Repps the sacrist was taxed twice with the same item of 7s. 3¼d., and the chamberlain was charged in several places with revenues which did not exist. The collectors ordered the bishop of Norwich to investigate by means of juries of laymen and clerics.² His findings are unknown, but some of the items were dropped from the valuation and some were not.³ The prior and convent of Canterbury, in 1295, obtained a papal mandate forbidding certain of their revenues used as alms for the poor to be taxed.⁴ Errors in the assessment of the income of the dean and chapter of Hereford were corrected by the bishop of Winchester as late as 1297.⁵ Corrections continued to be made, indeed, long after the sexennial tenth had ceased to be current. In 1320 the abbot of Bury established before the court of exchequer a plea that he was charged with the same item of £103 7s. in the roll for the archdeaconries of Norwich and Norfolk and the roll for Sudbury and Suffolk, and secured its cancellation in the former.⁶ Four years later the bishop of Rochester secured the deletion from the official copy of the valuation in the exchequer of an assessment of land worth twenty shillings a year, because his predecessor had held it in 1292 only temporarily by right of the custody of a minor heir.⁷ Claims that

¹ Lambeth Palace Library, Reg. of Winchelsea, fol. 309v; *Reg. of G. Giffard*, p. 490; Graham, *Ecclesiastical Studies*, pp. 307-9.

² Letter of 10 July: Harl. MS. 230, fols. 37v, 38.

³ *Taxatio*, pp. 101-5, 110, 111, 131.

⁴ 29 August: Muniments of Dean and Chapter of Canterbury, Reg. A, fol. 35.

⁵ *Taxatio*, p. 177.

⁶ Harl. MS. 645, fol. 127v; *Taxatio*, p. 110.

⁷ *Reg. Roffense*, p. 389.

they were assessed in the valuation on property which they did not possess were vindicated before the exchequer by the prior of Ware in 1329¹ and by the bishop of Bath and Wells in 1331.² As late as 1344 the priory of Thornholm secured a reduction of its assessment by appealing to the pope with the plea that the value had been placed too high in 1292.³

The 'true value' which the valuation was intended to establish was the estimated average annual yield.⁴ The assessors were not expected to estimate the gross income,⁵ and the assessed values were normally far below the actual gross income.⁶ Whether the estimates were intended to represent the rental or the net value cannot be determined beyond a doubt.⁷ No detailed surveys of spiritualities appear to have survived.⁸ Those of temporalities appear to represent partly rental and partly net value,⁹ and they are probably typical. The estimates of temporalities seem to have been modelled usually on manorial extents, and these surveys were designed to represent sometimes the net value, sometimes the rental value, and perhaps most commonly the rental value of the major portion of the items and the net value of a few. The income from spiritualities was economically so nearly like the income from temporalities that the same methods of assessment were probably applied to both.¹⁰ Comparison of the assessed values of many items of spiritualities and temporalities with their rental values, net values and extents, as these were established for other purposes,¹¹ indicate that the assessors approximated a fair estimate of the current rental or net value in only a small minority of instances, rarely went above such an estimate, and often went considerably below it, though not as far below as the assessors of the valuation of Norwich had gone.¹²

The valuation compiled between 1291 and 1293 was more important

¹ L.T.R. Memo. Roll 101, m. 47v; K.R. Memo. Roll 105, m. 151.

² K.R. Memo. Roll 108, m. 173; *Reg. of Shrewsbury*, p. 82.

³ *V.C.H. Lincoln*, II, 167; Lincoln Diocesan Registry, Reg. VII (Beck), fols. 67v-68v. A similar instance appears on fols. 61v, 62.

⁴ One papal instruction was to ascertain what the revenues 'are accustomed commonly to yield.' The use of juries establishes that estimated income and not actual income was desired: Lunt, *Valuation of Norwich*, pp. 128, 129, 143.

⁵ The bull concerning doubts instructed them to deduct certain expenses: above, pp. 315, 316.

⁶ Lunt, *Valuation of Norwich*, pp. 147-49, 162, 163, 566, 567, 573, 584, 585, 590-98.

⁷ *Ibid.*, pp. 140-43.

⁸ On the significance of the 'Nonarum Inquisitiones' of 1341 in this connection, I find myself in partial disagreement with Miss Graham: Graham, *Ecclesiastical Studies*, pp. 283-85; *E.H.R.*, XLII, 424; Lunt, *Valuation of Norwich*, pp. 143-45.

⁹ Lunt, *Valuation of Norwich*, pp. 162, 564, 565; *idem*, *Papal Revenues*, II, 186-91.

¹⁰ Lunt, *Valuation of Norwich*, pp. 108, 131, 132, 157, 158, 162.

¹¹ *Ibid.*, pp. 574-89, 598-612; Graham, *Ecclesiastical Studies*, pp. 287, 288, 294-96.

¹² Lunt, *Valuation of Norwich*, pp. 95-167.

than any preceding assessment, because it was used during the remainder of the middle ages for the levy of papal income taxes and annates, of the procurations of papal legates and nuncios, and of subsidies granted by the clergy to the king. Copies of the valuation were kept on file by the papal camera,¹ the papal collectors in England² and the royal exchequer. In 1294 the king ordered the bishop of Winchester to send to the exchequer his rolls of the valuation in order that they might be used for the levy of the half granted by the clergy. Transcripts made at the exchequer were then supplied to the collectors of that tax, and these rolls, which were returned to the exchequer by the collectors, were collated with the papal copy of the valuation in 1297. Thereafter they became the greater part — if not the whole — of the official copy of the valuation kept in the royal treasury for the purpose of establishing the amounts due from subsequent collectors of clerical subsidies. Both the royal and the papal copies were later revised in some particulars. Most of the items in the province of York were reduced in the royal copy on account of the destruction wrought by the Scots. These changes were sometimes accepted for the levy of papal taxes and sometimes not. Alterations of individual items were made in both the royal and the papal copies. Some of those made in one copy were incorporated in the other, while others were not. A taxpayer whose income had deteriorated in value might secure a reduction, and the occasional transfer of a piece of property might cause the elimination of an entry from the valuation.³ In this manner the yield of a tenth was gradually reduced, because the revenues from property acquired by the clergy after the valuation was compiled were not added to the assessment.⁴

The valuation was used so much that many other copies of it were made. Apparently every bishop kept a copy of the whole assessment or of the portion relating to his diocese. A transcript of the part relating to a given collectorate was often preserved in a religious house, if the abbot or prior served frequently as a deputy collector of papal or royal taxes. The monastic cartulary which does not contain the assessment of the revenues belonging to the house is rare.⁵ Often taxpayers sought from

¹ *Collectorie* 354, fol. 37.

² Lunt, *Papal Revenues*, II, 185, 186.

³ Article on 'Collectors of Subsidies' to appear in volume II of *The English Government at Work*, edited by Willard and Morris; below, pp. 666, 667; Chancery Misc., 18/9, no. 18.

⁴ The additional property did not escape royal taxation, if it was temporal, and it was counted as temporal even if its revenues were devoted to spiritual purposes. Though such property formed no part of the temporalities in the valuation, which came to be known as temporalities annexed to spiritualities, it contributed to the lay subsidies levied by the royal government: Lunt, *Valuation of Norwich*, p. 72, n. 6; Willard, *Parliamentary Taxes*, pp. 93–95.

⁵ Article on 'Collectors of Subsidies' cited above.

the papal collector, the exchequer, or both, certified copies of their own assessments, which they used to settle arguments with collectors concerning the extent of their liabilities or as permanent protection against any mistakes or excessive demands which a local collector might make.¹ Several copies of the whole valuation and numerous copies of portions of it are still extant.²

The collection of the tenth did not begin until 1292.³ During the early months of that year the collectors appointed deputies in each diocese,⁴ selecting members of the local clergy who had not acted as assessors.⁵ In the diocese of Ely the spiritualities and the temporalities were assigned to different persons to collect,⁶ but that was not the general practice.⁷ The deputies were empowered to use ecclesiastical censures against opponents and tardy payers,⁸ and the principal collectors might inflict pecuniary penalties upon the latter.⁹ The deputies were instructed to accept only money of full weight, to keep the money in safe places at their own risk, to write the sums in full in any acquittance issued, and to record all payments in a register in order both to protect the payers should acquittances be lost and to provide the basis of an annual report to the collectors. They were notified to render such a report at places and at dates in the autumn established each year by the collectors. For the issue of an acquittance the deputies might charge no more than a penny.¹⁰

The dates for the payments of the spiritualities due for the first year were set for 20 April and 24 June 1292. Payments were accepted at these dates on the basis of the valuation already made, subject to later change, if the assessment should be altered. The deputies were instructed to retain half of the second payment in their possession in order to be able to refund any reductions which might be made.¹¹ Since the temporalities

¹ Oliver, *Monasticon*, p. 145; Chancery Misc. 18/9, no. 6; Bodleian Library, MS. Ch. Berks a 2 a, no. 129; Muniments of Dean and Chapter of Salisbury, Press iv, box of 'Literae.'

² Below, pp. 666-75.

³ Cotton, *Historia*, p. 199; *Ann. de Dunstaplia*, pp. 367, 372; *Ann. de Oseneia*, p. 332; Muniments of Dean and Chapter of Durham, Misc. Charter 4180. Baethgen puts the beginning of the levy in 1297, because only four years had been collected in 1301: 'Quellen,' *Q.u.F.*, xx, 177, n. 7.

⁴ *Ann. de Oseneia*, p. 332. The prior and convent of St Katherine without Lincoln received their commission on 19 February: Cambridge University Library, MS. Dd x 28, fol. 16. The prior and convent of Barnwell had been appointed before 13 May: *Liber de Bernewelle*, p. 208.

⁵ *Ann. de Oseneia*, p. 333; below, pp. 631-33.

⁶ *Liber de Bernewelle*, p. 208.

⁷ *Ann. de Oseneia*, p. 332; below, pp. 632, 633.

⁸ Worcester Diocesan Registry, Reg. of Giffard, fols. 369, 372, 372^v.

⁹ Chapman, *Sacrist Rolls of Ely*, II, 10, 11; Raine, *History of North Durham*, p. 269.

¹⁰ *Liber de Bernewelle*, p. 208; *Ann. de Oseneia*, p. 332; Worcester Diocesan Registry, Reg. of Giffard, fols. 369, 372, 372^v; Muniments of Dean and Chapter of Durham, Locellus XIX, 65, 88*, 98, 98*, 108. The account of the abbot and convent of Holmeultram for the third year is set forth in detail in the cartulary of the abbey, pp. 277, 278; Muniments of Dean and Chapter of Carlisle.

¹¹ Worcester Diocesan Registry, Reg. of Giffard, fols. 369, 372.

had not all been assessed when the first instalment on spiritualities became due, their tenth was probably levied at different dates.¹ The semi-annual payments for the second and subsequent years were ordered to be made on 2 November and on the day following the second Sunday after Easter, beginning on 2 November 1292.² After the sixth instalment had become due on 3 May 1294, the collection of the tenth for the three remaining years was suspended, although the new pope, Celestine V, renewed his predecessor's grant of the tenth on 2 October 1294.³ The interruption was due to the wars with France, Wales and Scotland which caused Edward I to make heavy demands on the resources of the clergy. The immediate occasion was the half which the clergy were constrained to grant to the king in September.⁴ Three months earlier the collectors had not anticipated any suspension,⁵ but the payment which became due on 2 November was not demanded.⁶ In each of the three following years the clergy paid a tenth or more to the king,⁷ and the attempt to collect the last three years of the sexennial tenth was not renewed until 1300.

During this interval the collection of arrears continued, and changes in the personnel of the collectors also occurred. On 10 June 1296 Boniface VIII relieved the bishop of Lincoln of his office as collector and put in his place Geoffrey of Vezzano. The transfer of the office necessitated the render of an account by the bishops of Lincoln and Winchester,⁸ which displays the state of the tenth in 1296.⁹ The total charge against the deputies for the three years was £60,843 13s. 4d. The deputies had been allowed £617 6s. 8d. for their expenses, leaving £60,226 6s. 8d. for which the collectors had to account to the pope. Of this sum £17,800 were deposited with Italian merchants, £1,400 were deposited with English prelates, and over £33,033 6s. 8d. had been seized by the king.¹⁰ The re-

¹ *Ann. de Dunstaplia*, pp. 366, 372.

² Worcester Diocesan Registry, Reg. of Giffard, fols. 369, 372, 372v; Muniments of Dean and Chapter of Durham, Locellus XIX, 88*, 100.

³ Potthast, *Reg.*, 23985. Cf. Gottlob, *Kreuzzugs-Steuern*, p. 133. The revocation of the acts of Celestine by Boniface VIII apparently did not apply to this one: *Reg. of Halton*, I, 49-52.

⁴ Cotton, *Historia*, pp. 247-50. The prior and convent of St Katherine without Lincoln received a commission to collect the half on 3 October: Cambridge University Library, MS. D d x 28, fol. 16.

⁵ Lunt, 'Collectors' Accounts,' *E.H.R.*, xxxi, 103, n. 12.

⁶ *Ibid.*, xxxi, 106; *Cal. Pap. Regs. Letters*, I, 591, 592.

⁷ Cotton, *Historia*, p. 299; *Ann. de Dunstaplia*, pp. 404-7; Rishanger, *Chronicon*, p. 182.

⁸ *Cal. Pap. Regs. Letters*, I, 565.

⁹ The account is edited by Lunt, 'Collectors' Accounts,' *E.H.R.*, xxxi, 106-10, and by Deedes, *Reg. of Pontissara*, II, 785-92. A detailed account of the abbot and convent of Holmcultum appears in their cartulary, pp. 280, 281: Muniments of Dean and Chapter of Carlisle.

¹⁰ Below, pp. 362, 363; Muniments of Dean and Chapter of Carlisle, Cartulary of Holmcultum, pp. 279-81. The collectors could not establish the exact amount, because the war had made it impossible for some of the deputies to render their accounts after the seizure.

mainder, amounting to £7,993, was mainly in the hands of the taxpayers from whom it had not yet been collected. The debtors had been placed under ecclesiastical censures,¹ but the collectors regarded the recovery of the debts as hopeless. Many of the debtors had been rendered too poor to pay by the sterility of the land and a murrain among their cattle, and some of the debtors in this category had died. Others could not meet their obligations on account of expenses which the war with France had placed upon them, and the Welsh debtors had suffered great losses from the war in their country. The properties of some of the wealthier payers had passed into the hands of the king or of the nobles who were their patrons as a consequence of vacancies, and exemption from the tenth was claimed for them during the periods of custody. The possessions of other wealthy debtors who had died had been seized for debts owed to the king.

Notwithstanding the gloomy outlook of the two bishops, Geoffrey made progress with the collection of these arrears. In a report rendered probably in 1299 or early in 1300, he recorded the receipt of £1,711 1s. 5½d. A small portion of it had been paid to him by the taxpayers, a larger sum by the English depositaries, and the largest amount by the deputy collectors. The last may have had some of the money in their hands when the account was rendered in 1296,² but some of it they had recovered from the taxpayers during the intervening period.³

In 1300 the collectors were again changed. Geoffrey was rewarded for his long service as collector by promotion to the bishopric of Parma, which necessitated his return to Italy. At the same time the bishop of Winchester was superseded. The collectors who took their places were Robert de Elenton, abbot of Waltham, and Ralph Baldock, dean of St Paul's.⁴ They were commissioned to collect not only the tenth which had been paid but also that which remained to be paid.⁵ This instruction they interpreted to mean the tenth of the three years which had never been collected.

The new collectors began work on 3 August 1300 by causing the deputy collectors to be cited to meet them for the purpose of receiving instructions and taking oath concerning the collection of the tenth during the three following years.⁶ The two instalments for the fourth year of the

¹ Muniments of Dean and Chapter of Durham, Locellus xix, 43; of Lincoln, A. 1. vol. 14, fol. 116, no. 9.

² Lunt, 'Collectors' Accounts,' *E.H.R.*, xxxi, 104, 110-12.

³ Bodleian Library, MS. Oseney Ch., 26.*

⁴ 16 March: *Regs. de Boniface VIII*, 3542; *Reg. of Gandavo*, pp. 33-36; Muniments of Dean and Chapter of Canterbury, Reg. I, fols. 157v-158v.

⁵ *Regs. de Boniface VIII*, 3539.

⁶ *Reg. of Gandavo*, pp. 31-33. The deputies in the diocese of Salisbury were to meet the collectors on 4 and 19 October. The prior and convent of St Katherine without Lincoln received their new commission on 24 October: Cambridge University Library, MS. D d x 28, fol. 16.

tenth were fixed for 27 January and 16 April 1301. Many deputies met difficulties. In the archdeaconry of Lincoln few taxpayers appeared at the date set for the first payment, and the collectors declared those who had not come suspended and ordered them to render payment on 6 March.¹ In other districts payments were being rendered during the summer and autumn of 1301 long after they were due.² When the deputies accounted to the collectors at various dates between 30 August 1301 and 6 April 1302, a large sum was still owed by the taxpayers, and the recovery of these debts in the portions of the dioceses of Carlisle and Durham which had been invaded by the Scots and in the dioceses of Bangor and St Asaph, where the effects of the war were still felt, was deemed hopeless.³ Large amounts were also left in the hands of the deputies, but these were later delivered gradually to the collectors.⁴ During this period the recovery of arrears continued,⁵ and the local deposits were transferred to the collectors.⁶ Claims of erroneous charges⁷ and of exemptions⁸ and a plea for a reduction of the tenth in the portion of the diocese of Carlisle which had been ravaged by the Scots⁹ had to be settled by the collectors. The deputy collectors were again allotted small sums for their expenses,¹⁰ and the principal collectors were also rewarded. The bishop of Winchester received £893 6s. 8d.,¹¹ the dean of London £150, and the abbot of Waltham, who died before the expiration of his term of office, £66 13s. 4d.¹²

The last two years of the sexennial tenth were never levied. On 26 February 1301 Boniface VIII ordered the English clergy to pay a new tenth for three years. The collectors published their commission on 27 July 1301, appointed their deputies during September and October, and scheduled the first semi-annual payment for 30 November.¹³ The con-

¹ *Reg. of Halton*, I, 141-43.

² Muniments of Dean and Chapter of Salisbury, Press IV, A 1; Muniments of Dean and Chapter of Worcester, Liber Albus, fol. 3.

³ Reports of the deputies: Lunt, 'Collectors' Accounts,' *E.H.R.*, xxxi, 112-17; Muniments of Dean and Chapter of Durham, Misc. Charters, 4160, 4212, 4291, 4574, 4641, 5374; Locellus xviii, 1, 101, 105; xix, 36, 46, 87, 91, 114, 115.

⁴ Bodleian Library, MS. Oseney Chs. 30, 30*; Christchurch, Oxford, Archives, Ch. O 1111.

⁵ *Reg. of Gandavo*, pp. 34, 35; Raine, *History of North Durham*, p. 269; *Reg. of Halton*, I, 141-43.

⁶ *Reg. of Gandavo*, p. 35; Lunt, *Papal Revenues*, I, 272; Muniments of Dean and Chapter of Canterbury, Cartae Antiquae, K 10; *Reg. I*, fol. 220.

⁷ Lunt, 'Collectors' Accounts,' *E.H.R.*, xxxi, 118; Muniments of Dean and Chapter of Canterbury, *Reg. I*, fol. 233; of Durham, Misc. Charter 4641.

⁸ Lunt, 'Collectors' Accounts,' *E.H.R.*, xxxi, 118; *Reg. of Cobham*, p. 47.

⁹ *Northern Regs.*, pp. 151, 152.

¹⁰ Lunt, 'Collectors' Accounts,' *E.H.R.*, xxxi, 113-18.

¹¹ *Regs. de Boniface VIII*, 3925; *Cal. Pap. Regs. Letters*, I, 591, 592.

¹² Lunt, 'Collectors' Accounts,' *E.H.R.*, xxxi, 118.

¹³ Below, pp. 366, 367.

currence of two tenths evoked immediate complaint from the English clergy.¹ On 26 November the king summoned the collectors of the sexennial tenth to appear before his council on 27 January and ordered them meanwhile to suspend the collection of the tenth. Before the council, the dean, whose colleague had died, agreed to instruct the deputies to supersede the levy of the tenth until he should order them otherwise.² Meanwhile Bartholomew of Ferentino had formulated the grievance of the clergy in a letter to the pope. The reply, dated 3 December 1301, suspended the collection of the remaining two years of the sexennial tenth at the pleasure of the pope.³ The suspension was never revoked.

In the same letter Boniface dismissed the abbot of Waltham and dean of London, ordering them to render a final account to Bartholomew, who was to secure the remainder due for the first four years and deliver it to the cameral merchants. The account was rendered by the dean between 25 July and 8 August 1302.⁴ He was charged with £20,885 2s. 4½d. for the fourth year and £3,135 17s. 3½d. for the arrears of the first three years. He had assigned £16,642 1s. 11½d. to the cameral merchants and £2,000 to Otho de Grandison.⁵ He had used £477 18s. 8¾d. for expenses, and he was allowed to deduct £32 6s. 1¼d. for exempt items wrongly charged against him. The deputy collectors still held £1,253 6s. 3d., and the taxpayers owed £3,992 6s. 7¼d.⁶

Thereafter Bartholomew remained collector of the arrears until 1304, when he rendered an account of his stewardship together with £120 of the tenth to Gerard of Pecorara, the general collector appointed by Benedict XI. Gerard received only £50 additional before he was expelled from England.⁷ His successor, William Testa, began in 1306 to cite the deputies to render the sums still due.⁸ In 1308 he recorded the receipt of

¹ Muniments of Dean and Chapter of Worcester, *Liber Albus*, fol. 3.

² *Coram Rege* Roll, 30 Edward I, Hilary (K.B. 27/167), m. 31v; Muniments of Dean and Chapter of Durham, Locellus xix, 103; Misc. Charter 4302. For the first reference I am indebted to Professor E. B. Graves. Some of the tenth for the fifth year was collected in the diocese of Worcester, but the payments were later credited on the triennial tenth: Muniments of Dean and Chapter of Worcester, F, unnumbered roll.

³ *Regs. de Boniface VIII*, 4436; *Cal. Pap. Regs. Letters*, I, 598; *Anonymi Chron. Godstovianum*, p. 225; Lunt, 'Account,' *E.H.R.*, xxviii, 320.

⁴ It was composed of two membranes which have now become separated. The first is Inst. Misc. 336, which is edited by Baethgen in *Q.u.F.*, xx, 235-37. The second is Inst. Misc. 607, which I edited from a transcript in *E.H.R.*, xxxi, 117-19.

⁵ Assigned to him for his expenses on an expedition to the Holy Land: *Regs. de Boniface VIII*, 4490; Muniments of Dean and Chapter of Durham, Misc. Charter 4266.

⁶ The sum of the deliveries, expenses, allowances and remainders is said in the report to balance the charge, but it appears to exceed it by £407. ⁷ Lunt, 'Account,' *E.H.R.*, xxviii, 316, 319, 320.

⁸ Letters dated 28 May and 1 June: *Reg. of Gandavo*, pp. 201-9; *Chapter Act Book of Beverley*, I, 141, 142; Winchester Diocesan Registry, Reg. of Woodlock, fol. 41v. Letters from 1308 to 1310: Muniments of Dean and Chapter of Durham, Locellus xviii, 1; xix, 36, 46.

£924 14s. 11d. and in 1310 the receipt of £1,935 5s. 9¾d.¹ Meanwhile Edward II and Clement V agreed to share equally the remaining arrears of the tenths imposed by Gregory X, Nicholas IV and Boniface VIII.² The pope forthwith associated with Testa for the exaction of these arrears the bishop of Worcester,³ who appointed as his commissioner John de Sancto Quintino, a royal clerk.⁴ The result of this arrangement was a renewed vigor in the collection of the arrears. During the next two years the collectors reviewed the accounts of many deputies, held inquiries about doubtful items, and issued orders both to deputies and taxpayers for the payment of sums due.⁵ In 1310 Testa did not expect to be able to recover much more without the aid of the secular arm, which had not yet been obtained on account of the political disturbances in the kingdom.⁶ If his diagnosis was correct, they must have received the help of the government not long thereafter, for he reported the receipt of £850 5s. 6¼d. in 1311,⁷ and of £1,056 3s. 11d. in the next year.⁸ On 1 October 1312, when the latter report was rendered, the outstanding arrears were £2,659 1s. 6½d.⁹ On 8 March 1313 William de Balaeto superseded Testa as general collector.¹⁰ He continued the association with John de Sancto Quintino¹¹ for the levy of the arrears of the tenth imposed by Nicholas IV,¹² but the loss of his reports leaves us without knowledge of the amount which he recovered. By 29 May 1317, when he was replaced by Rigaud d'Assier,¹³ the largest part of the arrears, which were not hopeless debts,

¹ Lunt, 'William Testa,' *E.H.R.*, xli, 353, 354.

² *Ibid.*, p. 349.

³ 22 May 1309: *Cal. Pap. Regs. Letters*, II, 64. The arrangement for division probably did not apply to the receipts reported by Testa in 1310. He and the bishop did not begin to issue joint citations until the spring of 1310, and Testa's report was rendered between 24 June and 29 September 1310: Winchester Diocesan Registry, Reg. of Woodlock, fol. 162; Lunt, 'First Levy,' *A.H.R.*, xviii, 49, n. 13. Testa made no mention of a division in his report, as he did of similar items entered in his later reports.

⁴ K.R. Memo. Roll, 4 Edward II, m. 7, 54.

⁵ Hale and Ellacombe, *Account of the Executors*, p. 105; *C.C.R.* 1307-13, p. 287; *Reg. of Gandavo*, pp. 383-85; Winchester Diocesan Registry, Reg. of Woodlock, fol. 162; Wells Diocesan Registry, Reg. of Drokensford, fol. 34v; Bodleian Library, MS. Oseney Ch. 27; Muniments of Dean and Chapter of Durham, Misc. Charter 5038; Locellus xix, 91.

⁶ Lunt, 'William Testa,' *E.H.R.*, xli, 354.

⁷ Below, p. 683.

⁸ Lunt, 'William Testa,' *E.H.R.*, xli, 356.

⁹ Obtained by deducting the sum of the receipt recorded on 1 October 1312 from the total amount of the arrears as stated in the report for the previous year.

¹⁰ Below, p. 622.

¹¹ The bishop of Worcester renewed John's commission on 4 June 1313: Winchester Diocesan Registry, Reg. of Reynolds, fol. 84. Before the discovery of this and some of the following documents I thought it probable that the association ended with Testa: *E.H.R.*, xli, 350.

¹² *Reg. Dunelmense*, I, 420, 421; Lunt, *Papal Revenues*, I, 266, 267; *C.C.R.* 1313-18, p. 20; *C.P.R.* 1313-17, p. 179.

¹³ Below, p. 623.

must have been the debt of £1,066 13s. 4d. owed by the executors of Anthony Bek, bishop of Durham, for the whole four years.¹ When William de Balaeto had claimed the sum from the executors, the king, who had seized the bishop's goods for debts owed to the exchequer, opposed it. Rigaud finally obtained the royal permission to levy on the executors,² but apparently he was unsuccessful, for he reported the receipt from these arrears up to 1321 of only £10 4s. 10³/₄d.³

The proceeds of this tenth were ultimately shared between king and pope. After Edward I had forfeited the grant of them by his failure to engage upon a crusade in 1293, he became fearful that the deposits which the collectors had begun to make with Italian firms⁴ might be withdrawn from England by the papacy. He therefore represented to the simple-minded Celestine V that Nicholas IV had agreed to keep half of the receipts in England. Though no agreement of the sort appears in the extant correspondence of Nicholas IV concerning the tenth, his successor accepted the king's statement. On 25 October 1294 he ordered the collectors to deposit 30,000 marks with the Frescobaldi, cameral merchants, who were to retain the money in England.⁵ Within the next month he issued three more letters which confused the situation by conflicting commands.⁶ Whatever interpretation the bishops of Lincoln and Winchester may have placed upon these letters, they did not obey them. When they reported in 1296, only £17,800 were deposited with the merchants.⁷ They deposited a much smaller sum with English prelates,⁸ but the largest part of the money was left with the deputies, who sometimes kept the money themselves and sometimes deposited it in churches other than their own.

The king first tapped the supply of money provided by the tenth by means of a loan. In 1293 the collectors lent to Edmund for the use of the king in Gascony £10,000. The Pulici and Rembertini gave their bond to the collectors for the loan, and the king not only guaranteed the firm

¹ Exch. K.R. Accounts, 371/8, m. 91 A.

² 8 June 1319: *C.C.R.* 1313-18, pp. 474, 572, 573; 1318-23, pp. 37, 81.

³ *Introitus et Exitus* 15, fol. 46^v.

⁴ Göller, 'Inventarium,' *Römische Quartalschrift*, xxiii, 99; Lunt, 'Collectors' Accounts,' *E.H.R.* xxxi, 108, n. 58; Addit. Charter 19636; Arm. xxxv, vol. 140, fol. 23.

⁵ *Reg. of Pontissara*, II, 503, 504.

⁶ *Ibid.*, II, 501, 502, 504-6.

⁷ Above, p. 356.

⁸ The depositaries included the bishops of Lincoln, London, Winchester and Bath and Wells and the monastic communities of Sele and Christchurch, Canterbury: Lunt, 'Collectors' Accounts,' *E.H.R.*, xxxi, 109; Baethgen, 'Quellen,' *Q.u.F.*, xx, 236; H.M.C., *Third Report*, app., pt. 1, 361; *Report on MSS. in Wells Cathedral*, p. 299; *Two Charts. of Bath*, p. 89, nos. 437, 439; *Reg. of Pontissara*, II, 512, 513; Hale and Ellacombe, *Accounts of the Executors*, p. 105; Cambridge University Library, MS. E v 31, fol. 76.

against loss but promised to indemnify the collectors if the merchants should fail to repay the loan within three months of demand.¹ In the next year, when war with Wales was added to war with France, he used more arbitrary methods. In June he began to issue writs to sheriffs, ordering them to seize the money of the tenth deposited in specified churches and bring it to London.² At the same time he issued writs to depositaries and deputy collectors, ordering them to surrender the money to the sheriffs.³ Each writ specified the minimum amount to be surrendered, and ordered the recipient to surrender also any surplus of the tenth in his keeping above the amount stated. Monasteries which failed to deliver the required amount were seized by the sheriff and held for the king. The experience of the prior and convent of Barnwell not only illustrates the process but also supplies one of the reasons why payment of the tenth was so far in arrear. The amount demanded of them was £925 11s. 7½d.⁴ They could not deliver the sum to the sheriff, because several payers against whom they had issued no ecclesiastical censures were in arrears. The sheriff consequently took possession of the priory and collected the income. The bishop of Ely, who owed £600 for his tenth for the whole three years and was by far the largest debtor, came to the rescue of the priory. As soon as he could raise the money, he sent it to the exchequer, asking an acquittance for the tenth from the prior and convent. After the receipt of the money by the exchequer, a royal writ, dated 26 July, directed the sheriff to restore the priory and whatever he had received therefrom to the prior and convent.⁵

If any deposits of the tenth escaped this seizure, they were doubtless discovered when the policy was extended to money other than that arising from the tenth, since the second seizure was preceded by a scrutiny. On 16 June royal bailiffs in every county were ordered to inspect the money deposited in churches or elsewhere and to take any which was clipped or counterfeit.⁶ When they made the inspection, which in many places was on 4 July,⁷ they sealed all the money found in behalf of the king and against its owners and possessors.⁸ During the next three months the money was transported to the exchequer.⁹ Not only did this seizure ex-

¹ *C.P.R. 1292-1301*, pp. 12, 576; 1301-7, p. 115; Rymer, *Foedera*, I, 788; Prynn, *Records*, III, 579.

² *Rôles Gascons*, III, 2681.

³ *Ibid.*, III, 2679, 2680.

⁴ *Ibid.*, III, 2680.

⁵ *Liber de Bernewelle*, pp. 231-33.

⁶ *Rôles Gascons*, III, 2677, 2678; Chron. of Hagheby, Cotton MS. Vesp. B xi, fols. 35v, 36.

⁷ *Liber de Bernewelle*, p. 231; Hemingburgh, *Chron.*, II, 53, 54; Florence of Worcester, *Cont.*, pp. 271, 272; Gervase of Canterbury, *Cont.*, p. 306. One chronicle gives 11 July: *Flores Historiarum*, III, 274. One castle was searched on 26 July: *Reg. of Pontissara*, II, 495.

⁸ Gervase of Canterbury, *Cont.*, p. 306.

⁹ Exch. of Receipt, Misc. Roll 32, mems. 2, 3; *Ann. de Dunstaplia*, p. 390; Rishanger, *Chronicon*, p. 153.

tend to the money of laymen found in churches,¹ but also the search itself was carried into private homes.² The amount of the tenth which the king obtained from the seizure was £33,033 6s. 8d. or more.³

While the king thus sought the use of the money in the country which was out of circulation, he did not intend to confiscate the whole of it. After the receipt of the money, he issued one of two forms of letters obligatory to those from whom it had been taken. To the custodians of the funds of the tenth he promised merely to hold them indemnified against all claims for the amount which he had seized,⁴ but to the keepers of other money he promised repayment as quickly as possible.⁵ The latter promise was kept in the same manner as the similar royal guarantees given to those from whom the money of the tenth was seized in 1284. In answer to the petitions of the guardians of the money, it was ordained at the parliament of Lincoln in 1301 that the exchequer should reimburse them by allowing them their debts to the king or by assigning them the debts owed to the king by others, but the prioress and nuns of Canonsleigh were still striving to secure the return of £672 in 1331.⁶ The collectors and depositaries of the tenth made no effort to recover the money. While the custodians of other money were seeking its restoration, they were petitioning the king merely to acquit them against the pope.⁷

The violation of sacred places roused the indignation of some of the English clergy,⁸ and it also disturbed the papacy. Celestine V took no action, but his successor, Boniface VIII, retaliated with the bull *Clericis laicos*, which was directed against those who seized ecclesiastical deposits from churches as well as against those who taxed the clergy.⁹ The bull failed to accomplish its purpose. Edward I continued to tax the English clergy without papal consent,¹⁰ and the bull was later modified by Boni-

¹ Receipt Roll 47; *Ann. de Dunstaplia*, p. 390.

² Hemingburgh, *Chron.*, II, 53; Gervase of Canterbury, *Cont.*, p. 306; *Reg. of Pontissara*, II, 495, 496.

³ The sum stated by the collectors in 1296: above, p. 356. The amount recorded in the receipt rolls of the exchequer up to 22 September 1294 was £29,362 13s. 5½d.: Receipt Roll 47, last 2 mems. The entries in this roll are duplicated in Receipt Rolls 48 and 87. Most of the items are found also in Exch. of Receipt, Misc. Roll 32. This roll is duplicated wholly or in part by Misc. Rolls 33, 34, 35, 36 and Issue Rolls 24, 26. The contents of Receipt Roll 47 are also reproduced in Receipt Roll 50. The latter enters the payments as they were received at the exchequer, while the former records the sums and the dates of the letters patent of acknowledgment issued to the custodians of the money.

⁴ For the formula see *Liber de Bernewelle*, pp. 231, 232; Exch. of Receipt, Misc. Roll 32, m. 1.

⁵ The formula appears in Misc. Roll 32, m. 2.

⁶ Perceval, 'Remarks,' *Archæologia*, XL, 425, 426, 441. Similar petitions were presented at the parliament of Carlisle in 1305: Maitland, *Memo. de Parl.*, pp. 103, 104.

⁷ Burrows, *Collectanea*, III, 107, 108; *C.P.R. 1301-7*, p. 385.

⁸ *Flores Historiarum*, III, 274; *Ann. de Dunstaplia*, p. 390.

⁹ Rymer, *Foedera*, I, 836.

¹⁰ Stubbs, *Constitutional History*, II, 135-47.

face VIII¹ and Benedict XI,² and repealed by Clement V.³ Boniface, however, did not attempt either to force the king to restore the deposits or to accomplish the same result by commanding the withdrawal of the proceeds of the tenth from England. He directed the collectors to deliver the receipts from the tenth to firms of cameral merchants,⁴ but they disregarded the mandate as far as the money in the possession of the king was concerned.⁵ Eventually Edward secured papal sanction of his retention of the money. In 1300, when the demand for delivery of the deposits of the conciliar tenth caused him to send envoys to the pope, he instructed them to ask for the unconditional concession of the proceeds of the tenth imposed by Nicholas IV. Boniface met the petition with a compromise. He allowed the king to keep what he had received of the yield of the first three years and reserved for the Holy Land and the Roman church the remainder of the proceeds of the first three years and the whole of those of the last three.⁶ A few days later this grant was incorporated in a larger concession by which the pope remitted to Edward all of the issues of any tenths imposed by the apostolic see which he had received through the acts of himself or others.⁷

The king thus secured undisputed possession of more than £33,000 which he had seized in 1294. He seems at first to have been in doubt concerning the inclusion in the papal grant of the loan of £10,000 made to him in 1293 by the collectors on the surety of the Pulici and Rembertini. The issue was raised by a request from the firm for a discharge of the bond or a royal guarantee against a papal demand for the money. On 16 February 1302 the king instructed the chancellor to peruse carefully the terms of the papal bull.⁸ He finally decided that the concession covered the loan, and in order to protect his claim he borrowed from the collectors the original letters obligatory issued by Edmund and the Pulici and Rembertini to the bishops of Lincoln and Winchester and refused to return them. The most that he would do was to promise to protect the collectors against any demand for the letters.⁹ The papacy apparently did not accept this interpretation of the bull. In view of the state of the deposits of the tenth in 1293 as indicated in the report of the collectors compiled in 1296, it seems probable that the collectors took a large part of the £10,-

¹ Potthast, *Reg.*, 24549, 24552; *Regs. de Boniface VIII*, 2354, 2355; Rymer, *Foedera*, I, 931.

² Phillips, *Droit Ecclésiastique*, III, 146.

³ *Reg. Clementis V*, 906; *Reg. of Swinfield*, p. 426.

⁴ *Cal. Pap. Regs. Letters*, I, 565, 587, 588.

⁵ Lunt, 'Collectors' Accounts,' *E.H.R.*, XXXI, 109-19; Baethgen, 'Quellen,' *Q.u.F.*, xx, 235-37.

⁶ 26 February 1301: Rymer, *Foedera*, I, 929, 930; Papal Bulls, 7/10.

⁷ 12 March 1301: above, pp. 345, 346.

⁸ Prynne, *Records*, III, 923.

⁹ 11 February 1303: *C.P.R. 1301-7*, p. 115; Rymer, *Foedera*, I, 948.

000 which they lent to the king from deposits which they had previously made with the Pulici and Rembertini and with three other Italian firms. For these deposits the firms had given their letters obligatory to the collectors, and copies of them had been sent to the papal camera. In an inventory of debts owed to the papal camera, prepared between 1362 and 1370, letters obligatory of the four firms for deposits of 11,000 marks received in 1293 were included.¹ The papacy evidently opposed the royal interpretation of the grant, but failed to recover the money. Edward I thus received more than half the yield of the tenth, which, without allowance for hopeless debts, was less than £82,000. This did not end the royal receipts from the tenth, however. Edward II obtained in 1309 the grant of half the uncollected arrears, which brought to the royal exchequer upward of £900.² The papal share was much smaller. Of the £38,000 produced by the tenth in excess of the minimum of £44,000 received by the king, £2,000 were given to Otho de Grandison, more than £2,000 were spent for the collection of the tax,³ and some debts for the tenth were probably never paid.⁴ Not only did the papacy obtain the smaller share of the proceeds but it also received the larger share of the criticism evoked by the imposition of the tax. Though Edward I took the initiative in persuading the pope to impose the tenth, the clergy were disposed to attribute a disproportionate share of the blame to the pope, whose mandate placed the burden of the tax upon them. The attitude of the clergy appears to have been reflected by the currency of the false rumor that Nicholas IV, in response to a royal request for a tenth for three years, had granted one for six years.⁵

¹ Lunt, 'Collectors' Accounts,' *E.H.R.*, xxxi, 108, 109; Göller, 'Inventarium,' *Römische Quartalschrift*, xxiii, 99; Arm. xxxv, vol. 140, fol. 23.

² Above, p. 360. See also *C.P.R. 1307-13*, pp. 400, 589. The amount was larger because the collection continued under William de Balaeto, whose reports are missing.

³ Above, pp. 356, 358, 359; Lunt, 'Collectors' Accounts,' *E.H.R.*, xxxi, 106-19.

⁴ On the basis of less data, Baethgen estimates the receipts of Boniface VIII from the tenth at £40,000: *Q.u.F.*, xx, 183, 184.

⁵ *Liber de Bernewelle*, p. 203.

CHAPTER VII

THE ERA OF INCOME TAXES LEVIED FOR KING AND POPE, 1301-1324

1. TRIENNIAL TENTH IMPOSED IN 1301

THE triennial tenth which Boniface VIII imposed upon the English clergy by bull of 26 February 1301 was for the avowed purpose of helping the Roman church to meet the expenses caused by the situation in Sicily and by rebellion in the States of the Church.¹ The letter failed to inform the clergy of the grant of half the proceeds to the king,² and this oversight may have been responsible for the growth of suspicion among them concerning the ulterior motives of the pope. The author of *Flores Historiarum* recorded a popular belief in England that Boniface sought the money for the support of his cause against the king of France.³ In France, on the other hand, after it became known that part of the tenth had been given to the English king, a clerk, who spoke in behalf of king and council to an assembly of the French clergy, asserted that the pope 'would not give the tenth of England to the King of England unless he promised to make war on the King of France with that same tenth.'⁴ Thus from the beginning this tenth was a source of trouble for the papacy.

Boniface commissioned Richard Gravesend, bishop of London, and Bartholomew of Ferentino to collect the tenth and gave them the usual powers.⁵ They could appoint deputies, strike opponents and debtors with ecclesiastical censures, and, if the censures failed, seek the help of the secular power. The secular power, however, was not to be used against vases, crosses, chalices, books and other utensils employed in divine services, or the privileged things⁶ of churches and monasteries. The collectors were also to determine the dates when the two equal payments of each year should become due. The only orders exempted from

¹ *Red Book of the Exchequer*, III, 1048-52; *Reg. of Gandavo*, pp. 38-41; *Reg. of Halton*, I, 146; Palgrave, *Antient Kalendars*, I, 12; Muniments of Dean and Chapter of Canterbury, Reg. I, fol. 230^v; of Westminster, 18/5800.

² The king was notified of the grant by letter of the same date as that addressed to the clergy, but the actual grant was not made until 12 March 1302: Rymer, *Foedera*, I, 929, 930; below, pp. 368, 369.

³ III, 110.

⁴ Deputy Keeper, *Forty-eighth Report*, app. pp. 573, 574.

⁵ 26 February 1301: Muniments of Dean and Chapter of Westminster, 18/5800; of Canterbury, Reg. I, fol. 231; of Worcester, *Liber Albus*, fol. 2^v; K.R. Memo. Roll 75, m. 26.

⁶ *Privilegia*. Professor Sweet asks if it may not mean 'areas of jurisdiction' in this context.

the tenth were the Hospitallers and the Templars.¹ The value of the highest annual income exempt from the tenth was reduced from the customary six marks to seven pounds of Tours, which the collectors calculated as the equivalent of two marks.

The collectors published the papal bulls on 27 July 1301,² and thereupon directed each bishop to cite specified persons from the local clergy to appear before them soon after Michaelmas to receive commissions and to take oaths as deputy collectors.³ Their commissions set the dates for the semi-annual instalments at 30 November and 16 January, and empowered them to enforce payment at those dates by ecclesiastical censures.⁴ The collectors reserved to themselves, however, the power of dispensation for any irregularities committed by payers who labored under such sentences.⁵

The deputies notified the taxpayers of their responsibilities for the payment of the tax,⁶ and the first instalment was collected as scheduled on 30 November 1301.⁷ Before the second fell due, the collection was interrupted by the intervention of the king. On 26 November he summoned the bishop of London to appear by deputy and Bartholomew in person before the king's council at York on 27 January 1302 and certify the papal authority by which they claimed the power to collect the tenth of clerical temporalities. Meanwhile they were to suspend the collection of the tenth from temporalities.⁸ The collectors, in compliance with the writ, presented to the council copies of the papal letters of 26 February 1301 as their authority. On 6 February, after the council had examined the copies, Bartholomew was brought before the barons of the exchequer and the justices of the bench, who asked for the original letters. He explained that they were not in his possession, because they had been sent to the Roman court for the correction of certain errors in them. The barons and the justices informed the collector that he ought not to assess

¹ The king enforced the exemption of temporalities during periods when they were occupied by the crown: *Reg. of Geynesburgh*, p. 194. The nuns of Chatteris sought to be excused from the tenth, because their church and other property had been burned: Cotton Ch. xxi, 12.

² *Liber Albus of Worcester*, p. 2, no. 23; *Reg. of Gandavo*, pp. 38-41; *Reg. of Halton*, I, 146-49; Muniments of Dean and Chapter of Westminster, 18/5800.

³ By letters of the same date: *Reg. of Gandavo*, p. 37; *Reg. of Halton*, I, 149.

⁴ The dates of the commissions and the taking of the oaths extended from 16 September to 13 October: *Liber Albus of Worcester*, p. 3, no. 25; Lunt, *Papal Revenues*, I, 274, 275; K.R. Memo. Roll 79, m. 23; Muniments of Dean and Chapter of Canterbury, Reg. I, fol. 231v; Cambridge University Library, MS. D d x 28, fol. 16. A list of the deputies is given below, pp. 633, 634.

⁵ K.R. Memo. Roll 79, m. 23.

⁶ The notice issued by the abbot of St Peter, Gloucester, was dated 3 November 1301: Muniments of Dean and Chapter of Worcester, *Liber Albus*, fol. 3.

⁷ *Ann. Londonienses*, p. 103.

⁸ *C.C.R. 1296-1302*, p. 570; K.R. Memo. Roll 75, m. 26.

or levy a tax on clerical temporalities at the mandate of the pope. Spiritualities only were subject to papal mandate; temporalities were subject to the royal dignity. They followed this explanation with an injunction upon the collectors to cease the exaction of the tenth from the temporalities and not to attempt anything prejudicial to the king or the right of the crown. The collectors forthwith commanded their agents to stay the collection of the tenth from temporalities and promised not to renew the levy without the consent of the king.¹

This claim of the king to have exclusive control of the taxation of temporalities was put forward to attain some object ulterior to the mere cessation of the collection of the tenth of temporalities. Although Henry III had advanced this claim on occasion,² Edward I had not previously attempted to uphold it and later he allowed the levy of the triennial tenth on temporalities to be resumed. What Edward's purpose may have been is left in the field of conjecture. He may have intended to warn the pope that if the bull *Clericis laicos* continued to be maintained as an obstacle in the path of the royal taxation of the clergy, the king could make it difficult for the pope to tax the English clergy for his own purposes. In 1301 the laymen at the parliament of Carlisle granted the king a fifteenth, but the clergy of the province of Canterbury refused its extension to clerical temporalities without papal consent.³ They sent nuncios to obtain papal permission for the grant,⁴ and Edward, after he had ordered the exaction of the fifteenth from temporalities,⁵ postponed the execution of the order twice, while the papal answer was being awaited.⁶ Since the second postponement was not terminated until long after the collection of the triennial tenth from temporalities had been resumed, this probably was not Edward's main purpose. Another object may have been to secure remedy of a defect in the papal grant of the tenth. The commission of the collectors appointed them for only one year instead of three. This mistake was corrected by a bull of 5 December 1301,⁷ which had not reached the collectors when judgment was rendered against them by the council. The most probable cause of the royal action was the failure of the pope to make a formal grant enabling the king to secure the half of the tenth which had been promised to him. The collectors were unwilling to pay any money to the king unless he issued his obligatory letters to

¹ K.R. Memo. Roll 75, mems. 26, 26v.

² Above, pp. 185, 276.

³ *C.P.R. 1292-1301*, pp. 572, 579, 611-14; *Flores Historiarum*, III, 303.

⁴ *Reg. of Gandavo*, pp. 112-14, 129, 130.

⁵ *C.P.R. 1301-7*, p. 15; *Rot. Parl.*, I, 266.

⁶ Prynne, *Records*, III, 1001-2; Willard, *Parliamentary Taxes*, pp. 100, 101.

⁷ *Regs. de Boniface VIII*, 4437; *Cal. Pap. Regs. Letters*, I, 598.

repay what he had received on the demand of the collectors.¹ The king finally decided that the issue of such letters would not be prejudicial to him,² but he doubtless wished to have his right to the half established on a firm foundation. The grant was finally made by the pope on 12 March 1302.³ On 7 May Bartholomew cancelled his order of suspension and instructed the deputies to proceed with the collection of the tenth of temporalities.⁴

The intervention of the king caused the payment of the tenth of temporalities to be delayed, and the tenth of spiritualities, of which the second instalment became due on 16 January 1302, was paid none too promptly. In the autumn the collectors began to adopt vigorous measures for the recovery of the arrears. On 10 October 1302 they wrote to the prior and convent of Westminster, attributing to their reprehensible carelessness the existence of many debts for the first or second term in London and Middlesex. They accordingly ordered the deputies to publish the names of the debtors, to declare them excommunicated, to place their churches under interdict and to sequester their goods. The money received they were to deliver to the principal collectors on 12 December. Failure to execute the mandate would bring upon the deputies the penalty of greater excommunication.⁵ Six days later the prior and convent commanded the rural deans and others to carry out this mandate and to cite the debtors to appear in the conventual church of Westminster on 13 November prepared to pay their debts and to obtain release from the sentences which they had incurred.⁶ This decisive action appears to have produced the desired result, for an account of the arrears drawn up after the three years had expired displays only £6 15s. 11½d. due from London and Middlesex for the first year.⁷ In one attempt to collect the tenth the principal collectors were unsuccessful. On

¹ Prynne, *Records*, III, 922, 923; K.R. Memo. Roll 75, m. 35^v.

² 10 April 1302: Prynne, *Records*, III, 922, 923. The form was continued until 12 June: *C.P.R.* 1301-7, pp. 27, 32, 37, 39, 42, 43; Clerical Subsidy 42/2a.

³ *Regs. de Boniface VIII*, 4483; *Cal. Pap. Regs. Letters*, I, 599; *Red Book of the Exchequer*, III, 1052; *C.P.R.* 1301-7, p. 62; Prynne, *Records*, III, 921; Potthast, *Reg.*, 25131; *Ancient Corres.*, xx, 14; Muniments of Dean and Chapter of Canterbury, Reg. I, fol. 256. The necessary order to the collectors was issued on the same date: *Regs. de Boniface VIII*, 4482; *Cal. Pap. Regs. Letters*, I, 599.

⁴ *Worcester Sede Vacante Reg.*, p. 5. The demand made by the deputy for the temporalities of the priory of Worcester was dated 16 May.

⁵ Muniments of Dean and Chapter of Westminster, 18/5796; of Durham, Misc. Charters 4179, 4334, 5064.

⁶ Muniments of Dean and Chapter of Westminster, 73/12381, 12386.

⁷ *Ibid.*, 18/5773. Not all deputies were as efficient. The abbot of Sherborne acquitted the chapter of Salisbury on 11 February 1303 for its tenth due for the first year without intimation that the chapter had been penalized for its delay: H.M.C., *Report on MSS. in various Collections*, I, 360; Muniments of Dean and Chapter of Salisbury, Press IV, Box A 1.

30 January 1302 the pope directed them to demand from the archbishop of Canterbury £4,000 of the tenth which were in his hands.¹ The papal information was erroneous, and when Bartholomew sought the money, Winchelsea replied with some asperity that the archbishop of Canterbury was known never to have been a collector or receiver of the tenth and that he had no money of the tenth.²

In the levy of the tenth for the first year no attention was paid to the provision of the papal bull which extended the taxation to benefices worth more than two marks a year. The tenth was collected on the basis of the recent valuation,³ which did not include benefices appraised at six marks or less, unless the holder of such a benefice received additional income from another source. Before the tenth could be levied from benefices worth from two to six marks, they had to be assessed. The valuation was made in the autumn of 1302 and early months of 1303.⁴ The method may be illustrated by the procedure in the archdeaconry of London. The valuation in this archdeaconry was undertaken in response to a letter which the collectors directed to the prior and convent of Westminster on 17 November 1302. It ordered the deputies to assess according to the true value the benefices which were not included in the existing valuation. The work was to be performed before 18 January, and a copy of the newly assessed items was then to be sent to the collectors.⁵ The deputies transferred the task to the official of the archdeacon of London, who established the assessments by the sworn testimony of clerks and lay parishioners. At the same time he cited the holders of the newly assessed benefices to appear before the prior and convent on 17 January 1303 to pay the tenth for two full years.⁶ In Carlisle a slight revision of the existing valuation was rendered necessary by the havoc wrought by the Scots,⁷

¹ *Cal. Pap. Regs. Letters*, I, 607.

² Lambeth Palace Library, Reg. of Winchelsea, fols. 30^v, 333^v, 334.

³ Harl. MS. 742, fol. 61.

⁴ In Middlesex the deputies, on 16 October 1302, ordered the rural deans and the official of the archdeacon to make the assessment and to cite the possessors of the newly assessed benefices to appear in the church of Westminster to pay the tenth thereof for the first three terms on 11 November: Muniments of Dean and Chapter of Westminster, 73/12336, 12381, 12386. The dates when the valuation was made in other dioceses are lacking.

⁵ *Munimenta Gildhallae Londoniensis*, II, pt. 1, 230.

⁶ Muniments of Dean and Chapter of Westminster, 18/5794. The prior and convent received the order of the collectors on 18 December and issued their order to the official on 20 December. The return of the official was dated 16 January. Copies of the valuation for the diocese of London and several other dioceses survive, but they are lacking for some dioceses: *Taxatio*, pp. 20, 76, 77, 156, 175-77, 202; Clerical Subsidy 68/8.

⁷ In 1300 the clergy of the diocese appointed a proctor to petition at the papal court for a new valuation: *Northern Regs.*, p. 145.

and in 1302 the collectors reduced the valuation of several churches by a third and exempted some entirely.¹

The work performed by the deputy collectors is portrayed more fully in the documents concerned with this tenth than in those associated with previous tenths. Well before each payment fell due, the deputies ordered the archdeacons, rural deans and others to warn the clergy within their respective jurisdictions and to cite them to render their instalments at a specified place on the established date.² They dispatched these notices by their own messengers whom they had to pay for the service. They also had to pay for the parchment, ink and wax which they used, and sometimes they hired clerks to write the documents. When payments were rendered, the deputies issued acquittances for which they charged small fees.³ After the date of payment had passed, a deputy sent to the deans and others the names of those who had failed to pay what they owed with orders to excommunicate them and to cite them to appear before the deputy on a specified date to make the payment and obtain absolution.⁴ If this failed to bring a delinquent to terms, the deputy would in due course direct the dean to excommunicate him in the rural chapter and have the sentence announced in every church in the deanery, place his church under interdict, and sequester the fruits of his church. Sometimes he might add suspension for good measure.⁵ If any dean or other to whom a deputy sent such mandates neglected them, he would be threatened with the sentence of greater excommunication,⁶ and the deputy himself did his work with the knowledge that the collectors would penalize him in the same manner for any failure or carelessness on his part.⁷ The deputy delivered his receipts to the collectors from time to time as opportunity offered,⁸ and once a year he appeared before them and rendered an account.⁹ At that time he delivered a list of the payers still in debt for the tenth. The accounts were costly for the deputies, since not only did they have to pay fees for the acquittances and copies of

¹ *Ibid.*, pp. 161-63.

² Lunt, *Papal Revenues*, I, 286, 287; Muniments of Dean and Chapter of Westminster, 18/5797, 5804, 5807; 73/12381, 12385, 12386; of Lincoln, A. 1. vol. 14, fol. 80, no. 35. This practice had been followed in the levy of the preceding sexennial tenth, and may have been older: Muniments of Dean and Chapter of Durham, Locellus XIX, 96, 100; of Lincoln, A. 1. vol. 14, fol. 116, no. 9.

³ Lunt, *Papal Revenues*, I, 295, 296. Similar expenses were incurred by the collectors of later tenths: Muniments of Dean and Chapter of Durham, Locellus XXXVIII, unnumbered roll.

⁴ Muniments of Dean and Chapter of Westminster, 18/5804, 73/12381-86.

⁵ *Ibid.*, 18/5797, 5804, 5807-10; 73/12385; Lunt, *Papal Revenues*, I, 286, 287.

⁶ Muniments of Dean and Chapter of Westminster, 18/5804.

⁷ *Ibid.*, 18/5796; of Durham, Misc. Charter 5668.

⁸ *Ibid.*, 73/12372, 12373; Lunt, *Papal Revenues*, I, 269, 295, 296.

⁹ Muniments of Dean and Chapter of Westminster, 72/12327; Lunt, *Papal Revenues*, I, 295, 296.

any portion of the accounts which they received from the collectors, but they also deemed it wise to give gratuities to the commissioners, clerks and members of the household of the collectors. One deputy recorded naively in his account that a gratuity had been paid to the collectors' clerks 'in order that they might be agreeable and favorable and that they might make a good allotment for the expenses of collection.' The latter was an important consideration, since a deputy was allowed a lump sum fixed at the discretion of the collectors. Occasionally a principal collector or an Italian merchant acting as his agent might visit the deputy to ascertain the amount of money in his possession, and when such a visitor arrived, the deputy usually provided him with a meal. The deputy sometimes sought advice from others who had more experience, for which he gave a gratuity, and he had to hire some serviential and clerical labor. He also had to meet the inevitable travelling expenses, and one deputy succeeded in the inclusion of the cost of shoes and other articles of wearing apparel in his account of expenses.¹

The collection of the tenth for the second year went forward on scheduled time and was subject to no significant irregularities.² Soon after the second instalment of that year became due, Bartholomew of Feren-tino went as a royal nuncio to Rome,³ where he remained until early in 1304.⁴ During his absence John Bonichi of Siena served as his commissioner for the collection of the tenth.⁵ Before the first payment of the third year fell due, the status of the tenth was changed profoundly by the death of Boniface VIII, which occurred on 11 October 1303. The disposal of the proceeds was affected first. On 1 November, at York, the king commanded the principal collectors to deliver all of the money of the tenth which was on deposit with the deputy collectors and all which should subsequently be collected to the exchequer.⁶ This instruction

¹ Lunt, *Papal Revenues*, I, 295-97.

² Muniments of Dean and Chapter of Westminster, 18/5804, 5810; 72/12327; 73/12381, 12385, 12386.

³ His safe conduct was dated 16 February 1303: *C.P.R. 1301-7*, p. 116. See also Exch. K.R. Accounts, 304/13, fol. 44v.

⁴ He fell ill at Florence on the way to Rome: Devon, *Issues*, p. 116. In August and September his commissioner was still acting for him in England: *C.P.R. 1301-7*, pp. 153, 158. He remained in Rome long enough to have an interview with the new pope who was elected on 22 October 1303. He could not have received instructions for the interview until news of the death of Boniface VIII had reached England and a messenger had thereafter come to him from the king. He reported to the king on the interview in a letter written at London on 22 March 1304: Prynne, *Records*, III, 989.

⁵ *C.P.R. 1301-7*, pp. 158, 200; Prynne, *Records*, III, 1002; Lunt, *Papal Revenues*, I, 300; Exch. K.R. Ecclesiastical Documents, 10/3, 4; K.R. Memo. Roll 77, m. 60; Muniments of Dean and Chapter of Westminster, 72/12327. He appears to have been a factor in the firm of Clarenti of Pistoia: Exch. K.R. Accounts, 365/6, fol. 1v.

⁶ K.R. Memo. Roll 77, m. 57v; Prynne, *Records*, III, 998.

represented a new royal policy. Previously the king had been content to accept from the collectors the half which had been conceded to him. To some extent he had anticipated its receipt by making assignments upon it to his creditors, and occasionally he had borrowed from the collectors sums which were to be deducted from his half as it later became due.¹ Sometimes deputies had delivered their receipts to the exchequer or the wardrobe instead of to the collectors, but in such instances the deputies were given royal letters of indemnity against the collectors.² The writ of 1 November was a royal claim to the whole yield of the tenth which had not previously been delivered by the collectors to the pope or to the cameral merchants to whom Boniface had instructed the collectors to consign his half.³ Though the writ did not mention the death of the pope, the news of that event⁴ supplied the reason for the king's demand of what remained unpaid of the papal half in addition to his own. On 22 November the king explained to Bartholomew of Ferentino that Boniface had taken into account the contingency of his own death by granting to the king all of the proceeds of the tenth which might remain at the time of his decease.⁵

Another consequence was the assumption by the royal government of the direction of the collection of the tenth. The notices of the deputies concerning the payment of the first term of the third year were issued before the pope died,⁶ but the news had circulated throughout England before the instalment became due on 30 November. Many payers, claiming that the grant of the tenth expired with the death of the pope who made it, refused to pay their quotas,⁷ and some of the deputies even declined to receive the money.⁸ The collectors hesitated to pay the papal share to the king without a papal order to that effect,⁹ for fear that they

¹ *C.P.R. 1301-7*, pp. 42, 43, 46, 52, 56, 57, 60, 62, 65, 74, 114, 143, 154, 158, 162, 163; *Rot. Orig. Abbrev.*, I, 127; Clerical Subsidy 42/2a; Exch. K.R. Accounts, 354/10, fols. 7^v, 9^v; 360/23, fols. 4, 6; 360/25, m. 6; 364/13, fol. 48; 14, m. 1; 365/6, fols. 1^v, 2; 369/16, fol. 3^v; 371/8, m. 50; K.R. Ecclesiastical Documents, 10/3, 4; Ancient Corres., xxviii, 66, no. 2.

² Exch. K.R. Accounts, 10/24; 360/23, fol. 4; 25, m. 6; 365/6, fols. 1^v, 2. Sometimes they were given letters of acquittance issued by the collectors and left at the exchequer in advance of the delivery: K.R. Memo. Roll 77, m. 60.

³ 10 April 1302: Theiner, *Vet. Mon. Hibernorum*, p. 170; *Cal. Pap. Regs. Letters*, I, 600.

⁴ On the length of time required for news of similar events to reach England from Italy see Lunt, 'Clerical Tenths,' *Haskins Anniversary Essays*, p. 157, n. 1.

⁵ Ancient Corres., xii, 184.

⁶ Lunt, *Papal Revenues*, I, 286, 287.

⁷ Ancient Corres., xxxii, 37; K.R. Memo. Roll 77, m. 61.

⁸ Lunt, *Papal Revenues*, I, 291.

⁹ They were prepared to continue payment to the king of his half. On 21 November they ordered the prior and convent of St Katherine to proceed with the collection of the first term of the third year with all speed in order that the money might be used for that purpose: Ancient Corres., xlviij, 72.

might be held responsible for the money by a subsequent pope. Edward met the latter difficulty first. By writ of privy seal he announced the arrangement for the king to have the balance of the proceeds in the event of the death of Boniface, ordered the collectors to deliver the money to the wardrobe, and promised to hold the collectors and their deputies indemnified against demand by the successor of Boniface and of any other for the papal half of the tenth.¹ On 10 December he met the other difficulty, which had been enhanced by the death of the bishop of London on the preceding day,² by writs addressed to the deputies. They recited the nature of his claim to the remainder of the tenth, denounced as a pretext the use by the payers of the deaths of the pope and one of the principal collectors as a reason for stopping payment, and ordered the deputies to enforce payment of the tenth by excommunication and sequestration. He also commanded the deputies to bring their receipts and render accounts to the exchequer at dates ranging from 7 January to 3 February 1304, under penalty of seizure of their lands and chattels for failure. They were to accompany their accounts with lists of delinquent payers.³ By these writs the king practically took the administration of the tenth out of the hands of the principal collector. Though Bartholomew of Ferentino remained in nominal control, the deputies henceforth received their orders from and accounted to the royal chancery, exchequer and wardrobe.⁴ The acquittances for sums paid by the deputies to the king were issued for a time in the name of the collector,⁵ but this practice was soon superseded by the issue to the deputies of royal acquittances containing an indemnity clause.⁶

The deputies, on receipt of the writs of 10 December, brought them to the attention of the taxpayers and demanded payment of the arrears before they had to account to the exchequer.⁷ Some of the debtors who remained obdurate had their position explained by the prior of Worcester, who acknowledged his debt but refused to pay it until the deputy collec-

¹ 31 November (*sic*): Prynne, *Records*, III, 1032, 1033. The summary in *C.P.R. 1301-7*, p. 200, is misleading with regard to the last particular.

² Lunt, *Papal Revenues*, I, 231.

³ Prynne, *Records*, III, 1033-35; *Liber Albus of Worcester*, p. 12, no. 157; K.R. Memo. Roll 77, m. 61; Muniments of Dean and Chapter of Canterbury, Reg. I, fol. 254; of Westminster, 18/5778.

⁴ Muniments of Dean and Chapter of Westminster, 72/12335.

⁵ K.R. Memo. Roll 77, mms. 20^v, 60; Exch. K.R. Ecclesiastical Document 10/2; Prynne, *Records*, III, 1034, 1035.

⁶ Lunt, *Papal Revenues*, I, 301; Bodleian Library, Christchurch Archives, Charters O. 1112, 1113; MS. Oseney ch. 24*; Chancery Misc., 35/11, no. 86; Muniments of Dean and Chapter of Westminster, 18/5743, 72/12328-30; *C.P.R. 1301-7*, pp. 234, 235, 292-301.

⁷ Muniments of Dean and Chapter of Westminster, 18/5805; 72/12351; of Worcester, *Liber Albus*, fol. 17; of Durham, Misc. Charter 4152.

tor could provide him with an indemnity supported by an ecclesiastical authority.¹ Both payers and deputies who hesitated to acknowledge the right of the king to supersede the papal authority soon changed their attitude. The debtors listed by the deputies when they accounted at the exchequer in January were proceeded against by distraint of their goods.² The deputies who failed to account on the dates prescribed for them had their property seized by the sheriff at the order of the king.³ At the Easter term of 1304 the abbot of Hyde pleaded in an action brought against him for debt that he could not answer because the king was seized of his temporalities by reason of the tenth.⁴

During the whole of 1304 the government sought the remainder of the tenth actively. On 16 January the second instalment of the third year became due.⁵ In April the king, hearing that the English representatives of the cameral merchants employed by Boniface VIII had £2,000 or more of the tenth in their possession, directed the barons of the exchequer to obtain the money, using distraint if necessary.⁶ Royal agents inspected the work of the deputies to see how much was collected and how much in arrears and to hasten the dispatch of any cash on hand to the king at York.⁷ The deputies were required to account again at the Michaelmas session of the exchequer.⁸ In a summary of the arrears probably compiled at that time⁹ the prior and convent of Westminster, who were charged annually with £447 4d.,¹⁰ owed £6 15s. 11½d. for the first year, £22 15s. 9½d. for the second year, and £129 8s. 1½d. for the third year. At Hilary term of 1305 the deputies accounted to the exchequer again, and this time a statement of the amounts still owed by both taxpayers and deputies in each collectorate was formulated.¹¹ At these accountings the fees and gratuities paid by the deputies to the royal officials and clerks

¹ Muniments of Dean and Chapter of Worcester, Liber Albus, fol. 17v.

² Prynn, *Records*, III, 1066; *C.P.R. 1301-7*, p. 204.

³ Exch. K.R. Proceedings, 85/13.

⁴ *Year Books, 32-33 Edward I*, p. 178.

⁵ One item from this instalment was received at the wardrobe on 28 January: Exch. K.R. Accounts, 365/6, fol. 33v. Others were later: *C.P.R. 1301-7*, pp. 235, 292; *Cockersand Chart.*, III, pt. 3, 1107.

⁶ L.T.R. Memo. Roll 74, m. 31v.

⁷ *C.P.R. 1301-7*, p. 211; Muniments of Dean and Chapter of Westminster, 72/12335.

⁸ L.T.R. Memo. Roll 74, m. 31v.

⁹ Muniments of Dean and Chapter of Westminster, 18/5773. Undated, but probably drawn up not long after the second instalment of the third year became due, because the arrears for that year are so large. In a statement made apparently after an accounting at Hilary term, 1305, the prior and convent owed only £33 13s. 10d.: Exch. K.R. Accounts, 362/27.

¹⁰ Muniments of Dean and Chapter of Westminster, 72/12327.

¹¹ *C.P.R. 1301-7*, p. 309; Exch. K.R. Accounts, 362/27. Many lists of individual debtors survive: Clerical Subsidies 1/1, 11/1, 35/3, 42/2, 68/7, 29; Exch. K.R. Ecclesiastical Documents 18/7; Muniments of Dean and Chapter of Westminster 72/12332.

were no less in variety and amount than those previously paid by them to the employees of the principal collectors.¹

For the remainder of the reign the arrears were pursued vigorously. The deputies continued to employ excommunication and sequestration,² and in 1305 they began to seek also the help of the government.³ Royal writs of *fieri facias* against both taxpayers and deputies were sent freely to bishops and sheriffs.⁴ The abbot of Langley was summoned before the exchequer in 1306, because many of the taxpayers whom he certified to the exchequer as debtors claimed to have paid their tenths in full. He pleaded that his proctor, who had his records, was beyond seas. A postponement was given to him, but it was accompanied with a warning that he must satisfy the king at that time for all sums due or have the goods of his monastery seized.⁵ These stringent measures were reasonably successful. The arrears continued to dribble into the exchequer and the wardrobe until the close of the reign.⁶ One payment of £352 13s. 4d. by the abbot and convent of Osney was made by crediting that amount against £500 owed to them by the king for the loan which he had made in 1286 from the proceeds of the tenth imposed by the second council of Lyons.⁷

While Edward I was bringing strong pressure to bear upon the English clergy, he had to meet strong papal opposition. Bartholomew of Feren-tino, who had negotiated with the pope for the original grant of the triennial tenth, presented to Benedict XI Edward's claim to the whole of the remainder of the tenth in the event of the death of Boniface VIII. He stated that the grant rested upon the oral testimony of Otho de Grandison and himself, who had heard Boniface utter the words. Benedict replied frankly 'that without a bull he would not believe it.'⁸ Even before Bar-

¹ Muniments of Dean and Chapter of Westminster, 72/12335.

² Winchester Diocesan Archives, Reg. of Woodlock, fol. 211.

³ Lunt, *Papal Revenues*, I, 287-89.

⁴ *Reg. of Greenfield*, I, 20, 21; *Exch. Misc.* 2/44; Worcester Diocesan Registry, Reg. of Ginsborough, fols. 57v-62v; *Reg. of Geynesburgh*, pp. 182-87, 189-93, 220-27, 237. The procedure on this writ is explained in my article on the collectors of clerical subsidies which will appear later.

⁵ *C.P.R. 1301-7*, pp. 485, 486; K.R. Memo. Roll 80, m. 23; *V.C.H. Norfolk*, II, 419.

⁶ *Exch. K.R. Accounts*, 366/17, mems. 1-3, 9, 12, 17, 18, 18v, 19, 21, 22; 367/16, p. 12; 367/23, m. 1; 368/7, fols. 2-3, 6v-10v, 12v, 19-22; 368/25, m. 1; 368/27, m. 23; Clerical Subsidy 67/3a; 68/76, m. 2; Muniments of Dean and Chapter of Westminster, 18/5743; 72/12328-30; *C.P.R. 1301-7*, pp. 292-301, 363, 364, 449-53, 506; *Cockersand Chart.*, III, pt. 3, 1108.

⁷ *C.P.R. 1301-7*, p. 363; Burrows, *Collectanea*, III, 106, 107; Maitland, *Memoranda*, p. 55, no. 88; above, pp. 342-45.

⁸ Bartholomew's report to the king, Palm Sunday, 1304: *Ancient Corres.*, xvii, 58; Prynne, *Records*, III, 989; Langlois, 'Le Fonds,' *Journal des Savants*, new ser., 2d year, 447. Confirmatory evidence that the king's claim rested upon the oral testimony of the envoys is given by a papal collector: Lunt, *Papal Revenues*, I, 231.

tholomew communicated this bad news to the king, Benedict had appointed Gerard of Pecorara collector of papal revenues in England and commissioned him to levy the arrears of the triennial tenth and to assign them to cameral merchants.¹ The scene of the conflict was thus transferred from Rome to England.

The unfortunate collector met with obstacles in the execution of his task from the time of his appearance in England. Though he carried the usual letters of introduction,² he did not receive the customary royal letter of safe conduct. Nevertheless, he proceeded to assert the papal position by revoking the commissions which had been issued to the deputy collectors of the triennial tenth by Bartholomew and the bishop of London. This act suspended the further collection of the tenth.³ It also hurled direct defiance at the king, since the deputies actually were executing their commissions under royal orders. Edward met the challenge with a writ, dated 5 July, directing the mayor of London to cause Gerard to appear privately before himself, the aldermen and other citizens at the Tower and to annul all his orders to the deputies by writs of revocation, which were to be sent to every diocese at the expense of the crown. When that had been done, the mayor was to command the collector to appear before king and council to show by what right he exercised his powers. If he refused compliance, he was to be attached for his offense in coming into the kingdom without the consent of the king.⁴ Gerard wrote the required letter on 19 July. He explained how he had learned recently that any one sent from the Roman court ought not to exercise his commission in England without the consent of the king. He acknowledged himself to have been guilty of that oversight, and concluded: 'We therefore notify you that our mandates, requests, prohibitions, warnings and threats directed to the collectors, being prejudicial to the king and crown of England, are, by the apostolic authority which we exercise, withdrawn and annulled.'⁵ The collector then went to Scotland to see the king.⁶ By means of the interview he appears to have obtained permission to exercise his office, since he began immediately upon his return to London late in October⁷ to cite the local collectors to appear before him for the render of accounts.⁸

¹ *Regs. de Benoît XI*, 1213, 1232; *Cal. Pap. Regs. Letters*, I, 617, 618.

² *Regs. de Benoît XI*, 1219.

³ Pryne, *Records*, III, 1031, 1032; *C.P.R. 1301-7*, p. 365; Exch. K.R. Ecclesiastical Documents, 19/69.

⁴ Pryne, *Records*, III, 1031, 1032.

⁵ Paraphrased: Exch. K.R. Ecclesiastical Documents, 19/69.

⁶ Report of Gerard: Inst. Misc. 4751; edited from a transcript by Lunt in *E.H.R.*, xxviii, 318.

⁷ The citation to the prior and convent of Westminster was dated 31 October 1304: Muniments of Dean and Chapter of Westminster, 73/12380.

⁸ *E.H.R.*, xxviii, 318.

Gerard was soon in trouble again. When the deputy collectors of the triennial tenth began to account late in November,¹ he found not only that many of them owed large sums but also that they had paid much of what they owed for the third year to royal officials as the result of 'remarkable restraints.' He attempted to compel the deputies to pay the balances shown by their accounts to be due for the first two years, and to keep the money of the third year until the apostolic see should ordain otherwise. The deputies naturally informed the king of these orders which ran counter to his.² Since he had promised them indemnity against papal demands for the money, he came to their rescue promptly. On 7 December the constable of the Tower, at the house of the dean of St Martin's le Grand, forbade Gerard to collect and receive tenths and other papal revenues and required him to revoke all citations, suspensions, assignments and processes against any one. The collector wrote the revocation immediately. He was also forced to surrender all his goods and documents. They were sealed by the constable and deposited in the treasury of St Martin's le Grand. He was then given notice to leave the realm within seven days.³ He left London on the next day.⁴

Though the king summarily disposed of the collector, who lacked the support of the pope on account of the vacancy of the apostolic see, he still had to deal with the papacy. When Clement V was elected in 1305, Edward immediately sent to him an embassy which, though it secured the concession of several financial favors, appears to have reached no understanding with regard to the triennial tenth.⁵ On 23 March 1306, when the new pope appointed William Testa his collector in England, he included the tenth imposed by Boniface VIII among the dues to be levied. The collector, having the fate of his predecessor in mind, proceeded with caution, possibly of his own initiative, or possibly because he had been so instructed by the pope.⁶ When he presented his credentials to the king and asked for the royal *exequatur*, 'he professed a desire to conduct his affairs without prejudice to king or Crown, and asked that he might be

¹ The prior and convent of Westminster were cited for 27 November: Muniments of Dean and Chapter of Westminster, 73/12380.

² *E.H.R.*, xxviii, 318, 319.

³ A memorandum of these events containing a copy of Gerard's letter of revocation: Inst. Misc. 377. Both are dated the morrow of St Nicholas. The annalist of London places the events on 10 December: p. 134. Discovery of the two revocations makes it certain that the revocation of 7 December was not the result of the writ of 5 July. See Lunt, 'Account,' *E.H.R.*, xxviii, 316, n. 16.

⁴ *Ann. Londonienses*, p. 134.

⁵ Below, pp. 382, 488; Lunt, 'First Levy,' *A.H.R.*, xviii, 52, 53.

⁶ On 16 May 1306 the king reimbursed the Frescobaldi for the fees which they had paid in the papal court for bulls sought by the king and for a public instrument concerning the tenth imposed by Boniface VIII: Exch. K.R. Accounts, 369/11, fol. 34. The entry does not make it certain that the instrument emanated from the pope and it gives no clue to the nature of its contents.

notified of any business which the king considered prejudicial and be allowed to have the goodwill of the king for the remainder.' The king's reply is unknown,¹ but when Testa began to execute his commission, he omitted the triennial tenth from the list of tenths concerning which he required reports from the deputy collectors.² Instead of seeking this tenth from the deputies, he requested the king to deliver to him the proceeds which had been received by the royal collectors.³ The request went unheeded until Edward II reached an agreement with the pope in 1309.⁴ He was allowed to retain not only the royal half of the tenth but also that portion of the papal half which he and his father had taken without the papal license. The subsequent receipts were to be shared equally between king and pope. On 22 May 1309 the bishop of Worcester was associated with Testa by papal appointment to collect the arrears of the triennial tenth.⁵

On account of troubles between Edward II and his barons, the arrangement did not become effective until 1311.⁶ In the next year Testa reported receipt of £185 5s. 8½d. to be divided between king and pope after the expense of collection had been deducted.⁷ The joint collection was continued until the close of the pontificate of Clement V in 1314,⁸ but the lack of collectors' accounts after 1312 leaves us without knowledge of the amount of the receipts. During this period the royal exchequer was receiving substantial sums directly from the deputy collectors⁹ at the same

¹ Lunt, 'William Testa,' *E.H.R.*, xli, 334, 335.

² *Reg. of Gandavo*, pp. 199-204; Winchester Diocesan Registry, Reg. of Woodlock, fol. 41v. The dean and chapter of Beverley appear to have answered the papal bull, which mentioned the triennial tenth, rather than the collector's citation, which omitted it: *Chapter Act Book of Beverley*, i, 141, 142.

³ Prynne, *Records*, III, 1099.

⁴ Receipts from the tenth continued to be recorded at the exchequer: *C.P.R. 1307-13*, pp. 66, 67, 98-102, 111, 122; *Exch. of Receipt*, Misc. Rolls 87, 88. Testa, on the other hand, reported no receipts from this source in 1308 or 1310: Lunt, 'William Testa,' *E.H.R.*, xli, 352-55. A cameral register covering receipts from the death of Benedict XI to the close of the pontificate of Clement V notes payment of the triennial tenth of Boniface VIII from other countries but none from England: *Reg. Clementis V*, app. I, 264-355.

⁵ Lunt, 'William Testa,' *E.H.R.*, xli, 349. The agreement was part of a general arrangement to share equally the arrears of several tenths: above, p. 360.

⁶ The troubles were still preventing the execution of the agreement in the summer of 1310: Lunt, 'William Testa,' *E.H.R.*, xli, 354. Citations for payment of the arrears of the sexennial tenth began to be issued in the spring of 1310, but the earliest citation for payment of the triennial tenth, which I have discovered, was dated 24 August 1311: *ibid.*, p. 350; above, p. 360; Muniments of Dean and Chapter of Westminster, 73/12375. Testa included no receipts from this tenth in his report for 1311: below, pp. 662, 663. The king acknowledged receipt from Testa of money of this tenth on 22 November 1311: *C.P.R. 1307-13*, p. 400.

⁷ Lunt, 'William Testa,' *E.H.R.*, xli, 356.

⁸ *Reg. Dunelmense*, i, 308, 309; *C.P.R. 1307-13*, p. 589; Hale and Ellacombe, *Accounts of Executors*, p. 105; Worcester Diocesan Registry, Reg. of Reynolds, fol. 84.

⁹ *C.P.R. 1307-13*, pp. 191, 192, 209, 266, 267, 359, 394, 395; *1313-17*, pp. 32, 33, 357; *Exch. K.R. Accounts*, 374/5, fol. 7v; 540/22, fol. 4v; below, app. p. 676.

time that it was recovering half of what the papal collectors obtained.¹ If the king divided these independent receipts with the pope, no evidence of it has come to light. If he retained the whole of them, apparently he did not observe the contract of 1309 scrupulously.

After the election of John XXII, the association of the bishop of Worcester with the papal collector for the levy of the arrears of the tenth appears to have ceased.² The collectors appointed by John continued to be commissioned to collect the arrears of the triennial tenth imposed by Boniface VIII,³ but they probably failed to obtain any further returns from the tax.⁴ The king, on the other hand, continued to receive small sums occasionally for several years. In 1317 a concerted effort was made to collect the arrears of tenths which had been imposed in behalf of the king by Boniface VIII and Clement V,⁵ and for over twenty years thereafter sheriffs were occasionally ordered to secure by distraint a sum still owed by one deputy collector or another for the tenth imposed by Boniface VIII.⁶ These efforts met with only a scant measure of success. After 1315 the crown obtained only negligible sums from the arrears of this tenth.⁷ In a few instances, moreover, the king pardoned debtors what they owed.⁸

The respective profits of king and pope from this tenth cannot be calculated exactly for lack of complete accounts of either the royal or the papal receipts.⁹ A computation of the items of receipt which appear in the records of the royal chancery, exchequer and wardrobe gives the sum of £42,898 10s. 11½d. received by the king to the close of 1314.¹⁰ The figure is probably somewhat below rather than above the actual total.¹¹ The annual yield of this tenth, which added the poor benefices to those

¹ *C.P.R. 1307-13*, pp. 400, 589.

² Possibly it stopped on 1 October 1313, when Reynolds was translated from Worcester to Canterbury: *Reg. of Reynolds*, p. 77.

³ *Cal. Pap. Regs. Letters*, II, 126, 127, 451, 486; below, pp. 622, 623.

⁴ Rigaud attempted to secure what Anthony Bek, bishop of Durham, owed for this tenth from his executors: *C.C.R. 1313-18*, pp. 572, 573; *1318-23*, pp. 37, 81. He recorded no receipts from the tenth in his report to the camera: *Introitus et Exitus* 15.

⁵ *Reg. of Sandale*, pp. 45, 46, 52.

⁶ *K.R. Memo. Roll* 110, m. 292v; 112, m. 270v; 113, m. 274v; 114, mms. 282, 282v, 284v, 287v.

⁷ *Receipt Roll* 285, m. 1; *Egerton MS.* 2827, fol. 340v.

⁸ *C.C.R. 1318-23*, pp. 70, 71; *1327-30*, pp. 48, 62; *C.P.R. 1317-21*, p. 312; Rymer, *Foedera*, II, 694; *K.R. Memo. Roll* 103, m. 66.

⁹ The enrolled accounts begin only with the next papal tenth. The records of papal receipts are fragmentary. Between 1300 and 1304 the Spini received 8011½ florins from a tenth of Provence, Italy and England, but the note specifies neither the tenth nor the amount from England: *Reg. Clementis V*, 1152.

¹⁰ For details of the computation see below, p. 676.

¹¹ The computation probably errs rather on the side of eliminating doubtful items which are not duplicates than on the side of retaining doubtful items which are duplicates.

included in the existing valuation, was probably in the neighborhood of £21,000. When the king put forth his claim to all of the remaining tenth, two of the three years had previously become due. The king therefore obtained approximately two-thirds of the tenth. The division was not exact, because the royal claim extended to arrears of the first two years which had not then been paid to the cameral merchants. In the time of Edward II the pope received a portion of the arrears, but it was undoubtedly smaller than the amount of the arrears of the papal share of the first two years obtained by the king. After 1314 the king secured a small sum of arrears, while the pope appears to have received none. Allowance must be made, on the other hand, for bad debts and the cost of collection which reduced the total yield in some measure. It is probably a safe conclusion that the royal share of the tenth was a generous two-thirds of the total net yield.¹

The triennial tenth imposed by Boniface VIII became an important precedent. It was of value to the papacy which subsequently from time to time demanded shares of the tenths imposed upon the English clergy by papal mandate, but it was of far more profit to the king. Though it was not the first tenth of the type, it was the first levied by papal mandate of which Edward I obtained a share without avowal of an intention to make a crusade.² His receipts from earlier papal tenths had been secured only by the exercise of arbitrary power and the conduct of long and tortuous negotiations with the papacy. In the closing years of his reign, moreover, the clergy still cherished unhappy memories of the heavy taxes which the king had levied for the unprecedented period of four successive years from 1294 to 1297. Though they had granted the taxes, they had sometimes acted under such pressure as to render the taxes practically involuntary. In 1300 they refused to concede a subsidy requested by the king,³ and in the next year they would not pay a lay subsidy on their temporalities until the papal approval had been obtained.⁴ The temper of the English clergy with regard to royal requests for taxation was such that the king could hope for little willing coöperation from them. If he could obtain from the papacy the grant of taxes imposed upon the income of his clergy by papal mandate, he could avoid the necessity of consulting the clergy with the attendant risk of opposition at the best and of refusal at the worst. The papacy, moreover, would share whatever popular odium such taxes might evoke.

¹ This corresponds reasonably well with Baethgen's estimate that Boniface received £20,000: 'Quellen,' *Q.u.F.*, xx, 184.

² The triennial tenth imposed by Clement IV in 1266 in behalf of Henry III was similar in this respect.

³ Prynn, *Records*, III, 805; *Ann. de Wigornia*, p. 544.

⁴ Above, p. 368.

2. THE TENTHS GRANTED IN 1305 AND SUPPLEMENTED IN 1309

That Edward I reasoned in this manner perhaps none can say; that he acted as such reasoning would dictate is obvious. On 17 June 1305 he ordered a delegation which had been appointed previously to be prepared to set out for the papal court in three weeks.¹ Among the envoys were the experienced Bartholomew of Ferentino and Otho de Grandison.² The business of the delegation is not stated in the enrolled royal letters, but on 1 August Clement V granted tenths to Edward I for seven consecutive years.³ Thus, at the earliest available opportunity after the triennial tenth had been collected, Edward I sought the grant of further tenths of the same kind.

Though the tenths were to run for successive years, they were imposed as three separate taxes. By three different letters the pope commanded the English clergy to pay to the bishops of Lincoln and London a tenth for two years beginning on 1 November 1305,⁴ a tenth for two years beginning on the same date in 1307,⁵ and a tenth for three years beginning on 1 November 1309.⁶ On 2 August, again by three separate letters, he commissioned the two bishops to collect the three tenths, giving to them the same instructions with regard to all three.⁷ The money they were to keep safely until the apostolic see should rule otherwise. Three days later Clement associated the bishop of Coventry and Lichfield with the other two bishops as a collector of the three tenths,⁸ but he remained a silent partner, leaving the work of collection to be done by his two colleagues.

The letters addressed to the clergy and the collectors declared that the tenths were to be levied for the needs of the Holy Land, which were de-

¹ It had been appointed to go to the court of Benedict XI, but the death of that pope had prevented its departure: *Parl. Writs*, I, 158; Prynne, *Records*, III, 1066; *C.C.R.* 1302-7, p. 337; *C.P.R.* 1301-7, p. 371.

² Otho was not named in the writs, but he was at Clement's court by 14 August: Exch. K.R. Accounts, 369/11, fol. 34v.

³ On the date see Lunt, 'Clerical Tenths,' *Haskins Anniversary Essays*, p. 157, n. 3. It has been commonly given as 1306. See, for example, *Lists and Indexes*, XLIX, 280-82.

⁴ Rymer, *Foedera*, I, 991, 992; *Reg. of Gandavo*, pp. 226, 227; Papal Bulls, 10/24; K.R. Memo. Roll, 8 Edward II, m. 147.

⁵ Winchester Diocesan Registry, Reg. of Woodlock, fol. 7.

⁶ K.R. Memo. Roll, 8 Edward II, m. 153.

⁷ The tenth beginning 1 November 1305: *Reg. of Gandavo*, pp. 223-26; 1 November 1307: Wilkins, *Concilia*, II, 288, 289; Lambeth Palace Library, Reg. of Winchelsea, fol. 20; 1 November 1309: Reg. of Winchelsea, fol. 20v; *Reg. of Gandavo*, pp. 355, 356.

⁸ One bull appointed him collector of all three: Rymer, *Foedera*, I, 994; Papal Bulls, 11/18; another appointed him collector of the biennial tenth beginning 1 November 1307: Rymer, *Foedera*, I, 993; Papal Bulls, 10/37; and a third appointed him collector of the triennial tenth: Papal Bulls 10/34. All were dated 5 August.

picted in moving terms.¹ In other letters addressed to the collectors on 2 August, however, they were instructed to deliver the receipts from the first year to Edward I except £2,000 to Queen Margaret, the income from the second year integrally to Prince Edward,² and the yield of the next five years to Edward I except £2,000 from each of the first four years to Queen Margaret.³ On 5 August the pope notified the prospective recipients of this disposal of the proceeds.⁴ In these letters the purposes for which the money was to be used were not defined in the same terms as they had been in the mandates of 1 and 2 August, which were intended for publication. According to the later letters the money conferred upon the queen was designed to defray the cost of her charity, that given to the prince was to be applied to his expenses, and only that granted to Edward I, who already wore the cross, was stated to be for the welfare of the Holy Land. The king, however, was required neither to pledge himself to depart for Palestine at a definite date nor to restore the money if he should not go. Possibly the old king, who had just concluded by the apparently successful conquest of Scotland the wars which had occupied him since 1294, entertained sincere intentions of reviving his abandoned project of a crusade. The envoys whom he sent in November 1305 to represent him at the coronation of the new pope were given full power to treat of an expedition to the Holy Land,⁵ and on 6 April 1306 he asked the pope to persuade the archbishop of Canterbury to restore to England the internal peace necessary for his departure, which numerous wars and other burdens had prevented hitherto.⁶ By contemporaries he was regarded as the king who had the affairs of the Holy Land most at heart.⁷ However good Edward's intentions may have been, Clement authorized the delivery of the money to him without the requirement of any guarantee that they would be fulfilled. Moreover, later letters caused the crusade to appear as an excuse for the levy of the tenths. On 16 January 1307 the pope reserved for 'the burdens and necessities of the Roman church' a quarter of the tenth during four of the years in which the king was to receive all of the proceeds except the sum appropriated to the queen, and ordered the collectors to deliver it to William Testa.⁸ For this modification of the original grant he sought and obtained the consent

¹ Lunt, 'Clerical Tenths,' *Haskins Anniversary Essays*, pp. 158, 159.

² Rymer, *Foedera*, I, 992, 993; K.R. Memo. Roll, 8 Edward II, m. 147.

³ Rymer, *Foedera*, I, 992, 993; Papal Bulls, 10/23, 26, 27; 11/21, 25.

⁴ Rymer, *Foedera*, I, 993, 994; Papal Bulls, 10/20, 11/19.

⁵ Rymer, *Foedera*, I, 974; *C.P.R. 1301-7*, p. 387.

⁶ Roman Roll I, m. 5.

⁷ Lizerand, *Clement V et Philippe le Bel*, p. 283.

⁸ Rymer, *Foedera*, I, 1007-8; K.R. Memo. Roll, 8 Edward II, m. 147; Papal Bulls, 11/13.

of the king.¹ In his letter to the king he stated that the tenth had been granted to the king in the first place not only to finance a crusade but also to support his 'other necessities.'

The first biennial tenth began to be collected on 21 April 1306, when the collectors received their commission,² sent copies of it to the bishops for publication,³ and began to appoint deputy collectors.⁴ In accordance with their instructions they ordered the tenth to be paid in two equal portions before 24 June and 25 December of each year and directed the deputies to deliver their receipts on the following 16 July and 16 January. These regulations were applied only to the first instalment.⁵ At the royal command the collectors set forward the dates of the remaining payments to 7 December 1306, 8 May 1307 and 1 December 1307.⁶ The collection was not interrupted by the death of Edward I, which occurred on 7 July 1307, because the second year then being levied had been granted to Edward II. The death of the old king, however, invalidated the remaining grants, and as a consequence the second biennial tenth was never levied.⁷

The grant of the triennial tenth Edward II sought to have renewed in his favor. On 4 March 1309 he sent to Clement V an embassy which obtained not only a renewal of this grant but also the new concession of an annual tenth to begin on 1 November 1312 when the triennial tenth would expire.⁸ The triennial tenth was renewed by a bull of 18 May 1309 addressed to the bishops of Lincoln and London. It directed them to put into effect their original commission of 2 August 1305 notwith-

¹ Rymer, *Foedera*, I, 1008; K.R. Memo. Roll, 8 Edward II, m. 153.

² The reason for the delay is unknown. The king desired to have the bull amended to make it consistent with his honor: H.M.C., *Fourth Report*, app. p. 394. The king's letter making the request is undated, but it was carried by nuncios who received money for their expenses on 26 April 1306: Exch. K.R. Accounts, 365/8, m. 2. It seems probable, therefore, that the papal bulls did not reach England long before the collectors received their commission.

³ *Reg. of Halton*, I, 253-59.

⁴ *Chapter Act Book of Beverley*, I, 132-34; Addit. Ch. 19637; Cambridge University Library, MS. D dx 28, fol. 16. The deputies are listed below, pp. 634, 635.

⁵ Muniments of Dean and Chapter of Durham, Misc. Charters 4323, 4617. The regular flow of the proceeds to the exchequer began on 19 July, though the wardrobe received one item in June: Exch. of Receipt, Misc. Roll 61; Exch. K.R. Accounts, 368/27, fol. 29v. One deputy was late in citing the clergy to make the first payment: *Chapter Act Book of Beverley*, I, 147.

⁶ *Chapter Act Book of Beverley*, I, 147, 174-77, 199, 201; Lunt, *Papal Revenues*, I, 284, 289-92; Hale and Ellacombe, *Accounts of the Executors*, pp. 26, 27; Muniments of Dean and Chapter of Westminster, 18/5803, 5806; of Durham, Misc. Charters 4175, 4208, 4322, 4371, 4516, 4828, 4901, 4951, 5049, 5999.

⁷ Lunt, 'William Testa,' *E.H.R.*, xli, 337, n. 2.

⁸ *Ibid.*, xli, 349. This embassy also secured the cession of the portion of the triennial tenth which the king had seized beyond his share and arranged for the equal division of the arrears of papal tenths levied before 1305 between pope and king: above, pp. 360, 379.

standing the intervening death of Edward I.¹ On 6 June the pope instructed them to pay three-quarters of the proceeds to Edward II and one-quarter to the papal collector. The king, he informed them, had agreed to abide by this arrangement.²

The bulls renewing the imposition of the triennial tenth were published by both the king and the collectors in the middle of August,³ and the deputies were commissioned by the collectors a few days later.⁴ At the instance of the king, who urged diligence, the collectors utilized the discretion left to them by their commission to place the dates for the two payments of the first year far in advance of the ultimate dates of Christmas and Midsummer named in the bull. They demanded of the deputies that the instalments of the first year be delivered to them at St Paul's, London on 2 November 1309, which was the day after the grant became effective,⁵ and 13 January 1310.⁶ The deputies, in order to meet this requirement, collected the first instalment from the taxpayers in October,⁷ before the bull was operative, and the second in December.⁸ Though the collectors originally established Christmas and Midsummer for the instalments of the remaining years,⁹ these terms were again anticipated in the second year. The taxpayers generally paid their quotas for the first term during April 1310,¹⁰ and for the second term in October or November.¹¹ In the autumn the king asked for so long an advance of the next date¹² that the archbishop of Canterbury put the question before his convocation which met on 9 December 1310.¹³ The assembled clergy agreed to set ahead the first term of the third year from 24 June¹⁴ to 13

¹ *Reg. of Gandavo*, pp. 355-57.

² K.R. Memo. Roll, 8 Edward II, m. 153. The king confirmed the arrangement on 29 August: Rymer, *Foedera*, II, 87.

³ *C.C.R. 1307-13*, p. 331; *Reg. of Gandavo*, pp. 355-57.

⁴ *Reg. of Gandavo*, pp. 357, 358.

⁵ The collectors stated that this instalment had become due on 24 June 1309.

⁶ *Reg. of Gandavo*, p. 358.

⁷ The abbot and convent of Gloucester set 18 October, and acquittances in other dioceses were dated 8 and 13 October: *Liber Albus of Worcester*, p. 30, no. 464; Muniments of Dean and Chapter of Exeter, 2166; of Salisbury, Press IV, Box A 1.

⁸ *Chapter Act Book of Beverley*, I, 258; Muniments of Dean and Chapter of Salisbury, Press IV, Box A 1. One acquittance was dated 3 January 1310: Muniments of Dean and Chapter of Exeter, 2168.

⁹ *Reg. of Gandavo*, p. 358.

¹⁰ Acquittances dated 22 and 26 April: Muniments of Dean and Chapter of Salisbury, Press IV, Box A 1; of Exeter, 2169.

¹¹ Acquittances dated 10 October and 11 and 17 November: Muniments of Dean and Chapter of Salisbury, Press IV, Box A 1; of Exeter, 2170. Acquittances were dated 3 January and 9 February 1311 without mention of excommunication: Muniments of Dean and Chapter of Exeter, 2167; of Durham, Misc. Charter 4345, 4352.

¹² *Cal. Chancery Warrants, 1244-1326*, p. 296.

¹³ *Liber Albus of Worcester*, p. 33, no. 511.

¹⁴ This date was itself an advance of the date specified in the bull, which was Christmas, 1311.

January 1311.¹ In this manner the first five instalments were exacted in less than one year and four months.² After this heavy pressure had been placed upon the clergy, they were allowed to rest for more than a year before the final instalment was demanded of them.³

On 1 November 1312, when the triennial period terminated, the tenth which Clement V had granted to Edward II for one year became current. It was, indeed, merely a continuation of the preceding tenths. The first two were often designated contemporaneously as the quinquennial tenth, and, after the third tenth was added, the three were called collectively the sexennial tenth. The last tenth, like the others, was associated with a crusade by the statement that Edward II was directing his energies toward the Holy Land. This, in fact, was assigned as the reason for the grant to the king of the whole yield of the tenth, but he was not required to promise either that he would begin a crusade before a specified date or return the money if he should not go.⁴

For a time the king contemplated the levy of this tenth before the year for which it was granted. On 2 June 1312 his council, having heard that the council of Vienne had imposed a sexennial tenth in aid of the Holy Land, and fearing that the concurrence of two tenths would render the collection of the king's tenth difficult, advised him to deliver the bulls imposing the tenth to the collectors with orders to proceed with the levy immediately.⁵ This counsel was followed to the extent that the bulls were dispatched to the collectors,⁶ but either the order to execute them immediately was not given or it was revoked. The plan was probably abandoned because the first payment of the conciliar tenth was postponed to 1 October 1313,⁷ which would overlap only the second instalment of the royal tenth.

The bishops of Lincoln and London were again appointed collectors, and the bulls addressed to them and the English clergy on 30 May 1309 established the same mode of collection that had been employed for the

¹ *Reg. of Stapeldon*, pp. 120, 121; *Parl. Writs*, II, pt. 1, 59. On the other hand, an acquittance for this term, dated 13 October 1311, contains no mention of excommunication for tardiness: *Muniments of Dean and Chapter of Westminster*, 18/5760.

² This situation caused a chronicler to assert that the whole of the triennial tenth was paid within a year and a half: *Gesta Edwardi de Carnarvan*, p. 38. The prior of Spalding paid two whole tenths within a year: *Addit. MS.* 35296, fol. 40v.

³ The date was probably 24 June 1312, the ultimate date named in the bull: *Reg. of Stapeldon*, p. 121. The instalment had not yet been collected on 1 February 1312: *K.R. Memo. Roll* 85, m. 83. A payer who did not make his render until 5 December 1312 incurred ecclesiastical censures for delay: *Muniments of Dean and Chapter of Exeter*, 2171.

⁴ *K.R. Memo. Roll*, 8 Edward II, m. 153v.

⁵ *K.R. Memo. Roll*, 5 Edward II, m. 55.

⁶ On 18 July: *ibid.*, m. 59v; *Cotton MS. Nero C viii*, fol. 58v.

⁷ *Reg. Dunelmense*, I, 374, 375.

two preceding tenths.¹ The deputies who had collected the triennial tenth were continued in office.² The dates fixed for payment of the two instalments were 24 June and 25 December 1313,³ but in practice the deputies anticipated each of these dates by a few weeks.⁴

All three tenths were administered in a uniform manner. The bulls addressed to the clergy commanded them to pay a tenth of their ecclesiastical revenues and receipts to the collectors for the respective periods under threat of ecclesiastical censures, from which there could be no appeal, for failure to pay at the prescribed terms or for opposition to the collectors. The pope exempted the cardinals and the orders established for the defense of the Holy Land. The collectors disregarded the last privilege by attempting to exact the tenths from the order of St Lazarus of Jerusalem, but the king finally upheld the claim of the master and brothers that the exemption applied to their revenues.⁵ It may have been his association with the Holy Land which gave to Anthony Bek, bishop of Durham and patriarch of Jerusalem, the exemption which he enjoyed.⁶ The king also conferred several exemptions. In accordance with ancient custom,⁷ bishoprics and abbeys were freed from liability for the tenth during periods when they were in the hands of the king by reason of vacancies.⁸ The Carthusian houses of Hinton and Witham received from Edward II permanent exemption from papal income taxes levied in his behalf.⁹ The Minorite sisters without Aldgate were excused from the first two tenths at the request of the queen,¹⁰ while the nuns of Merrick and the monks of Egleston, whose houses had been destroyed by the Scots,¹¹ and the church of Llanfaes, which had been burned during the Welsh wars of Edward I, were pardoned all three tenths.¹²

¹ K.R. Memo. Roll, 8 Edward II, m. 153v.

² Below, p. 635. I have found no copy of a commission issued by the collectors to a deputy.

³ L.T.R. Enrolled Accounts, Subsidies and Aids 3, m. 2; Harl. MS. 230, fol. 133.

⁴ On 19 April the abbot of Gloucester cited the taxpayers to render the first instalment on 3 June: *Liber Albus of Worcester*, p. 39, no. 586. Other deputies gave acquittances without mention of censures for the same instalment on 23 June, 21 July and 5 August: Lunt, *Papal Revenues*, II, 125; Clerical Subsidy 63/2; Muniments of Dean and Chapter of Exeter, 2172, 2173. The prior of Launceston acknowledged receipt of the second term on 5 November: Muniments of Dean and Chapter of Exeter, 2174. A payer who was acquitted only on 21 July 1314 had been excommunicated: Muniments of Dean and Chapter of Westminster, 18/5762.

⁵ 25 May 1319: *C.C.R. 1318-23*, p. 71.

⁶ L.T.R. Enrolled Accounts, Subsidies and Aids 3, m. 1, 1v.

⁷ Above, p. 327.

⁸ *C.C.R. 1313-18*, p. 250; K.R. Memo. Roll, 5 Edward II, m. 83; Hutchinson, *History of Durham*, I, 250.

⁹ K.R. Memo. Roll 114, m. 93; *Reg. of Drogheda*, p. 24.

¹⁰ *C.C.R. 1313-18*, p. 4. They appear also to have possessed a permanent exemption granted by Boniface VIII: *C.C.R. 1318-23*, p. 166.

¹¹ *C.P.R. 1317-21*, pp. 223, 252.

¹² *C.C.R. 1318-23*, pp. 70, 71.

The principal collectors were endowed by their commissions with full powers of canonical coercion. They were instructed to select one deputy or more in each diocese with the advice of the bishop and other clergy of the diocese, to travel for the purpose of inspecting the work of the deputies, to secure accounts from them regularly, and to exact from them an oath to collect and keep the tenth faithfully without fear or favor and to deliver it and account for it to the collectors. An oath to perform their task faithfully and justly was required from the collectors themselves. For the collection of the triennial tenth the collectors appointed as commissioners Elias de Muschamp, a clerk of Lincoln, and John de Munden of London. The commissioners dealt with deputies and taxpayers and accounted to the exchequer,¹ but they did not replace the collectors entirely.

The deputies received from the collectors commissions which ordered them to collect the tenth in accordance with the terms of the papal commission to the collectors. A copy of the latter was sent to each deputy. A deputy's commission also conferred upon him the power of canonical coercion, arranged for him to take the oath, stated the dates when payments would become due, and ordered him to account to the collectors soon after each of those dates.²

The method of assessment to be employed was not defined in any of the commissions, but the accounts for the tenth leave no doubt that the valuation compiled from 1291 to 1293 was used.³ The commissions likewise failed to mention the bull concerning doubts. Theoretically no allusion to it was necessary, since it had become part of the common law of the church, though it had not yet been added to the *Corpus*.⁴ Some deputies were ignorant of its application. They demanded the tenth from poor hospitals and from single benefices worth no more than six marks.⁵ Both types of revenue were accorded exemption at the exchequer,⁶ but the possessors of such incomes occasionally experienced difficulty in establishing their exemption. The hospital of St John the Baptist at Bridgewater finally had to obtain a royal writ ordering the collectors to supersede their demand for the tenth.⁷

The deputies informed the taxpayers of their responsibilities by citations sent for publication to the archdeacons, deans and others having

¹ K.R. Memo. Roll 85, m. 83; *Reg. Dunelmense*, I, 312.

² *Chapter Act Book of Beverley*, I, 132-34; *Reg. of Gandavo*, pp. 357, 358; Addit. Ch. 19637.

³ L.T.R. Enrolled Accounts, Subsidies and Aids 3, mems. 1-2^v. See also *Rot. Parl.*, I, 314.

⁴ *Extravag. Commun.*, lib. III, tit. VII, cap. un.

⁵ Cole, *Documents*, p. 33; *Chapter Act Book of Beverley*, I, 256; Lunt, *Papal Revenues*, I, 286.

⁶ L.T.R. Enrolled Accounts, Subsidies and Aids 3, mems. 1-2^v.

⁷ *C.C.R. 1313-18*, p. 53.

jurisdiction over the clergy in their respective collectorates. The order for publication was mandatory, and, like all other mandatory processes employed in the collection of the tenths, it was given force by the avowed or implied threat of ecclesiastical censures for disobedience. The citation stated the date when a given instalment became due, and commanded all who were liable for it to make delivery to the deputy on or before the date at a specified place, which was usually the deputy's monastery or church. It also contained a warning that failure to comply would result in ecclesiastical censures.¹ The publication of the citation was often accomplished by reading it in a clerical assembly of the archdeaconry, rural deanery or other jurisdictional unit of which the addressee had charge.² To the taxpayers who heeded the summons the deputies issued acquittances, for which they commonly charged small fees.³ The deputies then compiled lists of those who had not paid on time and forwarded them to the archdeacons or other local ecclesiastical authorities with orders to publish against the debtors the sentence of greater excommunication, and sometimes sentences of suspension and interdict as well.⁴ When greater pressure upon the taxpayers was desired, they might add to the publication of the sentence a citation to pay at a second date under penalty of being summoned before the pope for a second failure to appear.⁵ When a delinquent payer rendered what he owed, the deputy gave him an acquittance stating that the sentences against him had been relaxed,⁶ and ordered a local ecclesiastical authority to announce the absolution publicly.⁷ Against contumacious debtors the deputies might employ sequestration of the fruits of their benefices,⁸ but ordinarily this procedure was left to wait upon the commands either of the collectors, to whom the deputies supplied lists of the delinquents when they accounted, or of the king, who was informed of the debtors when the collectors accounted at the exchequer.⁹

¹ *Chapter Act Book of Beverley*, I, 132-34, 147, 199; *Liber Albus of Worcester*, pp. 30, no. 464, 39, no. 586; Lunt, *Papal Revenues*, I, 284.

² Such returns to the above citations as are preserved do not state how notice of the citations had been given, but publication in the above manner was common at this period. See, for example, Muniments of Dean and Chapter of Westminster, 72/12338.

³ Hale and Ellacombe, *Accounts of the Executors*, p. 27; Muniments of Dean and Chapter of Exeter, 2168; of Ely, Treasurer's Roll no. 2.

⁴ Muniments of Dean and Chapter of Westminster, 18/5803, 5806.

⁵ *Chapter Act Book of Beverley*, I, 174, 175; Lunt, *Papal Revenues*, I, 289, 290.

⁶ *Chapter Act Book of Beverley*, I, 176; Lunt, *Papal Revenues*, I, 292; Muniments of Dean and Chapter of Westminster, 18/5762, 5765; of Exeter, 2171, 2174; of Durham, Misc. Charters, 4329, 4758; of Lincoln, Bj. 2. 4.

⁷ *Chapter Act Book of Beverley*, I, 177; Lunt, *Papal Revenues*, I, 291, 292.

⁸ *Chapter Act Book of Beverley*, I, 174, 175; Muniments of Dean and Chapter of Durham, Locellus XIX, 118.

⁹ L.T.R. Enrolled Accounts, Subsidies and Aids 3, mems. 2, 27.

The recovery of the arrears appears to have remained entirely in the hands of the collectors and the deputies until after the death of Clement V. In 1306 a deputy threatened delinquent payers, whom he was citing for the second time, with penalties to be inflicted by the king should they disobey the second summons,¹ but no indication of the actual use of royal compulsory processes for the recovery of debts has come to light. Throughout this period the collectors and deputies sought the arrears with a large measure of success, though they appear to have done no more than to renew repeatedly the ecclesiastical censures against the debtors.² When some of the delinquents seized upon the death of Clement V as an excuse to refuse payments of their debts, the king ordered each bishop to proceed against the debtors in his diocese by ecclesiastical censures and to report to the exchequer all who continued obdurate.³ After the collectors rendered their final accounts for the three tenths in 1315, the exchequer sent to each bishop a list of the debtors taken from the final accounts rendered to the collectors by the deputies,⁴ with orders to cite them to appear at the exchequer on certain dates to give satisfaction for their debts.⁵ Two years later the exchequer began to issue writs of *feri facias* to the bishops,⁶ ordering them to sequester the property of specified clerks for the sums which the deputies certified to the exchequer that they owed for one of the three tenths. What the bishop recovered was to be paid to the local deputies for delivery at the exchequer when they were summoned to account for the arrears. If any alleged debtor produced an acquittance, he was to be summoned to appear before the exchequer to display it. The bishop to whom the writ was addressed was informed that the money would be levied from his barony, if he should be remiss in the execution of the writ.⁷ The writs produced different results in different dioceses. The bishop of Salisbury secured the payment of a number of items, and imposed heavy censures on those from whom he failed to

¹ Lunt, *Papal Revenues*, I, 290.

² I have found no trace of the application of sequestration, but the records are rather meagre: L.T.R. Enrolled Accounts, Subsidies and Aids 3, m. 2; Exch. K.R. Accounts 374/2, mms. 1^v-2^v; Muniments of Dean and Chapter of Westminster, 18/5761, 5762, 5765; Bodleian Library, Christchurch Archives, Ch. O. 1115; *Reg. Dunelmense*, I, 312; *Reg. of Sandale*, p. 69; Winchester Diocesan Registry, Reg. of Woodlock, fol. 181; Lunt, *Papal Revenues*, I, 269, 292.

³ *C.C.R. 1313-18*, p. 103.

⁴ L.T.R. Enrolled Accounts, Subsidies and Aids 3, mms. 2, 2^v.

⁵ 24 October 1315: Winchester Diocesan Registry, Reg. of Woodlock, fol. 283.

⁶ Apparently the exchequer also used summonses of the exchequer: *C.C.R. 1318-23*, p. 166. It probably issued writs of *feri facias* to the sheriffs for the distraint of temporalities, but I happen to have noticed no examples. For other processes which it may have used see my article which will appear in volume II of *The English Government at Work*.

⁷ Salisbury Diocesan Registry, Reg. of Mortivall, I, fols. 143-44^v; Wells Diocesan Registry, Reg. of Drokensford, fols. 4-6^v; *Reg. of Sandale*, pp. 45, 46, 52, 69, 70.

collect. The bishop of Bath and Wells, on the other hand, presented only excuses. He was using, he said, censures and sequestration, but bad harvests and a murrain among the cattle were making it difficult to secure any money. Another difficulty was that the debtors violated the sequestration, because they claimed that the authority for the collection of these tenths ceased with the death of Clement V. To all this the officials of the exchequer replied with new writs of *feri facias*, on which the bishop finally reported the recovery of a small amount. Though the process of *feri facias* often worked slowly, it was usually effective.¹ Without doubt a large portion of the arrears was recovered.²

The deputies delivered some of their receipts to the collectors,³ and the king at first expected to receive the money from the collectors. On 24 May 1306 Edward I ordered the deputies to hasten the collection in order that the money might reach the collectors more quickly.⁴ It was not long, however, before the deputies began to deliver some of their receipts directly to the exchequer, and this became the established practice. At the end of Hilary term in 1307 the exchequer had received £25,502 6½d., and all of it had been delivered by the deputies, though they acted always in the name of the principal collectors.⁵ At the following Easter term £2,996 17s. 11d. arrived,⁶ and at Michaelmas £1,341 14s. 5d.⁷ On 1 July 1308 writs addressed to the collectors commanded them to levy the remainder before the next Michaelmas.⁸ Contemporaneously the collectors were receiving some of the money, since they paid to the papal collector a portion of the papal share.⁹ The proceeds of the triennial tenth were handled in the same manner. Deliveries by the deputies began to be entered upon the receipt rolls of the exchequer on 6 November 1309.¹⁰ They came so slowly, however, that on 10 December the king made complaint to the collectors.¹¹ Before the beginning of the next Hilary term £7,000 had been received and by 4 July 1310 the total had gone over £15,000.¹² A view of the account of the collectors taken on 1 February

¹ My article noted above.

² Items recovered by the abbot and convent of Osney after 1318 are recorded in Clerical Subsidy, 67/8.

³ Lunt, *Papal Revenues*, I, 269; Bodleian Library, Christchurch Archives, Ch. O. 1115.

⁴ Prynne, *Records*, III, 1151.

⁵ Pells Receipt Rolls, 157, 159, 161, 183; duplicated in part by Pells Receipt Roll 167 and Auditors Receipt Rolls 21, 70.

⁶ Pells Receipt Roll 194.

⁷ Pells Receipt Roll 190; duplicated by Exch. of Receipt, Misc. Roll 119.

⁸ *C.C.R. 1307-13*, p. 72.

⁹ On 13 June 1308 Testa reported the receipt of £2502 7s. 1¾d.: Lunt, 'William Testa,' *E.H.R.*, xli, 353.

¹⁰ Pells Receipt Roll 179; duplicated by Auditors Receipt Roll 106.

¹¹ *C.C.R. 1307-13*, pp. 189, 237.

¹² Pells Receipt Roll 179.

1312, when five of the six instalments had become due, displayed them charged with £62,491 10s. They had delivered at the exchequer £38,992 6s. and to the papal collector £10,451 1s. 1d. When allowance had been made for items incorrectly charged against them and for expenses, they remained indebted for £10,549 8s. 10½d., of which £4,547 2s. 10d. were owed to the pope and £6,002 6s. ½d. to the king.¹ The deliveries of the annual tenth were managed in a slightly different manner. Nothing was owed to the pope, and the king anticipated most of the deliveries by contracting loans to be paid from the proceeds of the tenth.

Not all of the deliveries of the royal share of the proceeds were actually received at the exchequer. The deputies rendered payments to the wardrobe,² and both the collectors and the deputies paid sums to royal officials and creditors, when royal writs of assignment ordered them to make such disposition of the funds. The assignments on the biennial tenth were few,³ those on the triennial tenth more numerous,⁴ and those on the annual tenth extensive.⁵ The assignments on the last tenth were made largely to anticipate the income. The king obtained loans and paid them by assignments on the tenth. The process began on 8 December 1312,⁶ when the first instalment of the tenth was not due until the next June. During the summer of 1313, in accordance with an agreement previously made in convocation, a number of prelates advanced to the king sums for which they were authorized to reimburse themselves from the next payments due from them to the king for tenths or for military service.⁷ Some of them cancelled what they owed for the second term of the annual tenth against these loans.⁸

The accounts rendered by the bishops of Lincoln and London for the six years of the three tenths were enrolled at the exchequer late in 1315.⁹

¹ K.R. Memo. Roll 85, m. 83.

² Exch. K.R. Accounts, 358/27, fols. 10, 16, 18; 362/18, no. 37; 365/10, fol. 37; 368/25, m. 3; 368/7, fols. 25, 25^v, 32^v, 33; 368/27, fol. 29^v; 369/11, fols. 8^v-10; 370/16, fols. 8^v, 14^v, 15^v; 370/24, m. 10; 373/26, fols. 92^v-93^v; 373/30, fols. 4-6; 374/2, mems. 1^v-2^v; 374/5, fol. 49; 374/6, fol. 4; 374/15, fol. 1; 382/15, mems. 18, 20; 506/16, fol. 3. A book of the receipts of the wardrobe for 6 Edward II contains none from the annual tenth levied in 1313: 375/1.

³ Exch. K.R. Accounts, 358/27, fols. 10, 11, 16, 18; 365/10, p. 37; 368/27, fol. 29^v; Muniments of Dean and Chapter of Westminster, 18/5743; *C.P.R. 1307-13*, p. 234.

⁴ *C.P.R. 1307-13*, pp. 392, 524; *C.C.R. 1307-13*, pp. 403, 425; *Rot. Orig. Abbrev.*, I, 195; Clerical Subsidy 67/6; K.R. Memo. Roll, 3 Edward II, m. 110.

⁵ *C.P.R. 1307-13*, pp. 515, 523, 524; 1313-17, pp. 11, 43; *C.C.R. 1313-18*, p. 19; *Reg. Dunelmense*, I, 312; Auditors Issue Rolls 56-58, 116, 117.

⁶ *C.P.R. 1307-13*, p. 515.

⁷ *Parl. Writs*, II, pt. 2, app. p. 64; *Reg. of Swinfield*, p. 489.

⁸ Winchester Diocesan Registry, Reg. of Woodlock, fol. 185.

⁹ L.T.R. Enrolled Accounts, Subsidies and Aids 3, mems. 1-2^v.

The total charge against the collectors was £122,750 12s. 7½d.¹ From this total a small sum was deducted for exempt items which had been included in the charge incorrectly. The collectors were allowed £400 for their own expenses and £1,379 3s. 4d. for the expenses of their deputies. They were credited with £2,000 which they had paid to Queen Margaret from the tenth of the first year and with £20,420 13s. 10¼d. which represented the papal quarter for four years. The remainder they had paid to the king except £1,890 10s. 3d. The greater part of this sum consisted of items which for one reason or another the collectors could not retrieve,² and these the exchequer undertook to collect directly from the debtors. The arrears for which the collectors were left responsible amounted to only £112 6s. 10½d.

The collectors served the king rather better than the pope. Though they made frequent deliveries to William Testa,³ in 1313, when he was superseded by William de Balaeto, they still owed £786 14s. 4½d. of the papal share. They reduced this debt during the four years that the latter held office by £244. Rigaud d'Assier, who was the next collector, began to exact the remainder directly from the deputies and taxpayers who owed it. On 21 April 1320 he had recovered £313 4s. ¼d. additional. The balance due, £229 10s. 4¼d., was all in the hands of the debtors. Rigaud then took over the collection of this remainder and gave to the bishops of Lincoln and London a final acquittance which freed them from further responsibility for the papal portion of the tenth.⁴

In the administration of these tenths the king intervened to such an extent as had not been witnessed previously, excepting the triennial tenth granted to Henry III in 1266 and the last year of the triennial tenth levied at the command of Boniface VIII. Though the bishops of Lincoln and London were nominally papal collectors, they accounted to the exchequer and were more zealous in collecting the royal than the papal portion. They appointed the deputies, who accounted to them, but the deputies delivered the largest part of the proceeds to the exchequer, to the wardrobe, or to royal creditors on the king's writ. After the final audit of the account of the collectors with the exchequer, the deputies became responsible to the exchequer for the arrears. The king ruled with regard to the liability of some members of the clergy for the tenth, granted

¹ I have already presented the principal figures for the three separate tenths: *Haskins Anniversary Essays*, pp. 161-65. There I inadvertently gave £1890 10s. 3d. as the amount of the arrears of the annual tenth; the figure should be £1091 17s. 11¼d.

² For the reasons see my article on 'The Collectors of Clerical Subsidies' noted above.

³ Lunt, 'William Testa,' *E.H.R.*, xli, 353-55; below, p. 683; K.R. Memo. Roll 85, m. 83.

⁴ Lunt, *Papal Revenues*, II, 127, 128.

exemptions and pardoned favored payers their debts. The arrears of the king's portion were finally levied by summonses of the exchequer and writs of *feri facias*. In large measure the king treated these tenths virtually as if they had been clerical subsidies granted to him by the English clergy.

These taxes also reflect the growth of papal authority. Before the closing years of the reign of Henry III the papacy had rarely succeeded in imposing a tax on English clerical income by mandate — even when it was done in behalf of the king — without evoking the serious opposition of the clergy. During the reign of Edward I, previous to 1300, the clergy were required by papal mandate to pay two tenths. To the first, though it was sanctioned also by conciliar decree, they offered enough opposition to make its collection difficult. To the second they offered a passive resistance which expressed itself in a large amount of arrears. The two tenths endured for nine years previous to 1300, which was an average of one tenth every three years. Beginning in 1300 the clergy paid mandatory tenths during eleven of the next fifteen years. Unquestionably the clergy chafed beneath this yoke. The diatribe of the monk of Malmesbury against the fiscal exactions of Clement V¹ probably reflected a large section of clerical opinion, but the steady stream of income taxes imposed by his order caused neither active opposition nor significant passive resistance. The protest against papal exactions voiced at the parliament of Carlisle in 1307 did not extend to income taxes. The clergy were still loath to pay them. When the king asked them to grant income taxes, they raised objections, made delays, and sometimes refused outright.⁷ When Clement V died, they seized upon the event as an excuse to suspend the collection of a current tenth and to refuse the payment of arrears. But they had learned that active resistance to income taxes imposed by the mandate of a live pope was hopeless.

The English clergy were not alone in their feeling that the fiscal exactions of Clement V were oppressive. In the council of Vienne, which began on 16 October 1311,³ a demand for reform found expression. What part the English clergy took in the criticism of the papal fiscal policies and in the attempt to modify them is not known. Several English prelates attended the council,⁴ the clergy of the province of Canterbury sent proc-

¹ Lunt, 'Clerical Tenths,' *Haskins Anniversary Essays*, pp. 165, 166. Adam Murimuth, who was contemporary, expressed a similar opinion, though he placed it under the annal for 1345: *Continuatio*, pp. 173, 174.

² Lunt, *loc. cit.*, pp. 179, 180.

³ Date of the first official session; summoned for 1 October: Müller, *Konzil von Vienne*, p. 84.

⁴ *C.P.R. 1307-13*, pp. 376, 378, 380, 388, 397; *Reg. of Greenfield*, I, 59; H.M.C., *Fifth Report*, app. p. 453.

tors,¹ and the king was represented by a delegation of lay and clerical envoys.² They were less numerous and less active in the council than the French prelates,³ but if they did not take the initiative in giving voice to the fiscal grievances of the clergy, as they had done in the two preceding general councils, they may well have supported those who did. One of the purposes of the council was the reform of the church, and to facilitate its consideration the pope asked the clergy to send in advance statements of their grievances to the Roman court, where they were classified and summarized for the use of the prelates attending the council.⁴ One prelate, at least, was bold enough to complain of the abuses practiced by the pope and the cardinals in the administration of the church.⁵ William Durand, bishop of Mende, went even further. He wrote a pamphlet, which, though it does not appear to have been submitted as a cahier of grievances, was circulated at the council. He called boldly for a reform of the church in head and members,⁶ and one of his demands was a conciliar decree forbidding the grant by the pope of tenths, annates and other aids to lay rulers without the consent of the prelates involved.⁷ Such a plea must have appealed to the English prelates, but it had little chance to receive official consideration by the council. The proposal that a perpetual twentieth of clerical incomes should be granted to the papacy, which in return should give up tenths and service taxes, was made in one session of the council,⁸ but it came to nothing. The pope, who had the initiative in the council and kept a close control of the transaction of business naturally did not allow the reform of the head of the church to receive serious discussion. Such measures of reform as were enacted were concerned with clerical discipline and to a slight extent with the liberties of the church.⁹ No action of the council provided the clergy with even a gleam of hope that the financial burden placed upon them by the pope would be lightened.

3. SEXENNIAL TENTH DECREED BY THE COUNCIL OF VIENNE IN 1311

Indeed, the fathers of the council had to carry to the clergy of their respective countries the news that the pope had utilized the council to

¹ H.M.C., *Cal. of MSS. of Dean and Chapter of Wells*, I, 62; *Reg. of Drogheda*, p. 44; *Reg. of Reynolds*, p. 23.

² Rymer, *Foedera*, II, 135, 136, 141; *C.P.R. 1307-13*, pp. 382, 459.

³ Lizerand, *Clément V et Philippe le Bel*, pp. 251, 252.

⁴ *Ibid.*, pp. 309, 310.

⁵ Haller, *Papsttum*, pp. 55-57.

⁶ Haller, *Papsttum*, pp. 57-60; Müller, *Konzil von Vienne*, pp. 591-95.

⁷ Haller, *Papsttum*, p. 64, n. 2.

⁸ *Ibid.*, p. 54; Müller, *Konzil von Vienne*, p. 629.

⁹ Haller, *Papsttum*, p. 54, n. 1; Lizerand, *Clément V et Philippe le Bel*, pp. 334, 335.

increase the weight of the taxation which they must bear. The purpose of the new tax was to finance a crusade. Clement V had announced that a crusade would be one of the subjects to be considered by the council. When he put the question before the prelates in attendance, it was bracketed with a proposal to impose a universal tenth upon clerical income for six years as a means of financing the expedition. The pope discussed the subject informally with national groups of prelates between the first and second sessions of the council. The prelates of England and Germany, who were among the first to be consulted, approved the crusade and the sexennial tenth.¹ All the other groups later gave assent except the French, who wished to consult their king. When Philip IV came to Vienne, he removed this obstacle by the announcement that he would take the cross within a year. In the second session of the council, which was held on 3 April 1312, Clement V published this news and announced that the prelates had granted the tenth.² Late in April he began to make concessions of the proceeds of the tenth to lay rulers,³ and at the last session of the council on 6 May he announced that he was sending letters to ordain the levy of the tax.⁴ It was not until 1 December 1312, however, that the encyclical letters imposing the tenth and regulating its collection and disposition were issued.⁵

On account of this delay the beginning of the sexennial period, which had been put originally on 1 January 1313, was postponed to 1 October 1313. The tenth was to be paid each year in two equal portions on 1 October and 1 April, with the usual penalties for delay or opposition. In the appointment of the collectors a departure was made from what had become the customary practice. Instead of naming two English prelates as principal collectors in the whole of England and Wales, each bishop was made collector in his own diocese. He was to pay the tenth on his own income, subject to the same penalties for failure which he was empowered to impose upon others, and to collect the tenth in the customary manner from all the other clergy of his diocese except the Hospitallers and other military orders. He was authorized to appoint deputies and place them under an oath formulated in the bull, which was similar to that required of deputy collectors of earlier tenths. They were to collect the tenth at the prescribed dates and to deliver the proceeds together with an itemized account to the bishop as soon as possible after each instal-

¹ Finke, *Papsttum*, II, 269.

² *Ibid.*, I, 345-69; II, 269-71, 274, 288, 293; Lizerand, *Clément V et Philippe le Bel*, pp. 307-9.

³ *Reg. Clementis V*, 7759, 8863.

⁴ Lizerand, *Clément V et Philippe le Bel*, pp. 309, 337.

⁵ *Reg. Dunelmense*, I, 373-83. One bull was addressed to the clergy of each province and one to the archbishop and his suffragans.

ment became due. Each bishop was to account to the pope. When the bishop received the money, he was to deposit it in the cathedral church or other safe place under the joint guardianship of the bishop and the chapter, keeping it in deposit until the pope should order its assignment to designated persons for the affairs of the Holy Land.¹ The instruction to collect the tenth in the customary manner was interpreted to justify the levy of the tenth by the established valuation.²

The council of Vienne also enacted a general constitution with regard to the collection of income taxes. It required them to be levied according to the valuation customarily employed and in the money current in each locality. It forbade collectors to receive chalices, books or other ecclesiastical furnishings appointed for the divine offices, even as pledges for the payment of tenths.³ The decree was not mentioned in the bulls imposing the tenth, and it probably did not apply to the tenth in England. It was included in the Clementines, which were not published until 21 March 1314 and were not rendered effective by executory letters until 25 October 1317.⁴

The executory bulls concerning the sexennial tenth were received in England in June 1313. The archbishop of York sent copies of them accompanied by his executory letters to his suffragans before the end of the month,⁵ and the prior and chapter of Canterbury, acting as guardians of the spiritualities of the archiepiscopal see during its vacancy, notified the bishops of the southern province late in July.⁶ The bishops generally provided for local publication of the bulls and appointed their deputies during August and September.⁷ A typical commission ordered the

¹ Copies of the bulls: *Reg. Dunelmense*, I, 373-83; *Reg. of Gandavo*, pp. 523-29; Lincoln Diocesan Registry, *Reg. of Dalderby*, fols. 244^v, 245; Winchester Diocesan Registry, *Reg. of Woodlock*, fols. 189^v-191^v; Muniments of Dean and Chapter of Canterbury, *Reg. I*, fols. 323^v-325; of Worcester, *Reg. Sede Vacante*, fols. 95, 95^v; K.R. Memo. Roll, 11 Edward II, Michaelmas Term, unnumbered fol.

² Established by comparison of valuation with amounts paid. Some of the deputies did not know whether or not the instruction gave exemption to benefices worth six marks or less and to poor hospitals and nunneries. The question was generally decided in favor of exemption: *Reg. of Reynolds*, pp. 72, 73; Worcester Diocesan Registry, *Reg. of Maidstone*, fol. 56; Muniments of Dean and Chapter of Worcester, *Reg. Sede Vacante*, fol. 97.

³ *Clementinarum*, lib. III, tit. VIII, cap. II.

⁴ Lizerand, *Clément V et Philippe le Bel*, pp. 336, 337; Friedberg, *Corpus Iuris Canonici*, II, 1129-31.

⁵ *Reg. Dunelmense*, I, 373-83; *Reg. of Halton*, II, 81, 82. The archbishop's letters were dated 21 and 27 June. In one the papal letters were said to have been received on 22 June and in the other on 22 July.

⁶ 21 to 24 July: *Reg. of Reynolds*, pp. 70, 71; *Reg. of Gandavo*, pp. 529, 530.

⁷ Commissions dated from 8 August to 12 September: *Worcester Sede Vacante Reg.*, p. 175; *Reg. of Reynolds*, pp. 70, 71; Wilkins, *Concilia*, II, 433, 452; *Reg. of Stapeldon*, p. 128; Lincoln Diocesan Registry, *Reg. of Dalderby*, fol. 245; Cambridge University Library, MS. E v 31, fols. 134-35. The

deputy to collect the tenth as prescribed in the papal letters and to account to the bishop ten days after each instalment became due.¹ Acceptance of the office of deputy was compulsory,² and failure of a deputy to perform his functions properly would subject him to ecclesiastical penalties.³ Some of the bishops also appointed clerks to receive the oaths of the deputies⁴ and to audit their accounts.⁵

Some deputies observed the established dates for the instalments,⁶ others anticipated them,⁷ and the dean and chapter of Wells, who were not commissioned until 21 October, must have been late with the first instalment. The deputies ordinarily delivered their receipts to the bishop soon after each payment became due from the payers, and continued to make deliveries from time to time as arrears were assembled. If a deputy was slow in his deliveries, he would be summoned to bring the money before a specified date.⁸ The standard of administrative efficiency attained in different dioceses varied much. The abbot and convent of Cirencester, who were charged with £196 12s. 3d. for each instalment,⁹ delivered £133 6s. 8d. on 22 October 1313¹⁰ and £200 on 22 May 1314.¹¹ In the diocese of Norwich, on the other hand, large sums were still in the hands of the deputies or the taxpayers on 20 August 1315. Fifteen months later only £16 1s. 10d. were owed by the taxpayers and all which the deputies had collected was deposited in the cathedral, but £540

order for publication given by the bishop of Salisbury is erroneously dated 19 July, since it is in response to a letter dated 21 July: *Reg. of Gandavo*, pp. 530, 531. The bishop of Bath and Wells delayed one appointment until 21 October: H.M.C., *Cal. of MSS. of Dean and Chapter of Wells*, II, 588. A list of the deputies is given below, p. 636.

¹ Muniments of Dean and Chapter of Worcester, *Sede Vacante Reg.*, fols. 95–96.

² *Reg. of Orleton*, pp. 17, 18.

³ The abbot and convent of Cirencester, for example, failed to notify the bishop of their receipt of their commission, as they were instructed to do. They were summoned to appear before the bishop to answer for disobedience: *Reg. of Reynolds*, p. 73.

⁴ Lincoln Diocesan Registry, *Reg. of Dalderby*, fol. 245^v.

⁵ *Ibid.*, fol. 247^v; *Reg. of Drokenesford*, pp. 76, 91.

⁶ *Reg. Dunelmense*, I, 441; H.M.C., *Cal. of MSS. of Dean and Chapter of Wells*, I, 155; Muniments of Dean and Chapter of Westminster, 18/5790; of Durham, Misc. Charters 4140, 4327, 4481; Locellus XIX, 47, 80, 95, 97; Worcester Diocesan Registry, *Reg. of Maidstone*, fol. 8.

⁷ The prior and convent of Worcester demanded the first payment on 15 September and excommunicated those who did not pay on that date: Muniments of Dean and Chapter of Worcester, *Sede Vacante Reg.*, fols. 96, 96^v.

⁸ *Reg. Dunelmense*, I, 441, 456, 550; *Reg. of Drokenesford*, pp. 73, 76; Muniments of Dean and Chapter of Worcester, *Sede Vacante Reg.*, fols. 96^v, 97; of Durham, Misc. Charters 4164, 4167; Worcester Diocesan Registry, *Reg. of Maidstone*, fol. 8; Lambeth Palace Library, *Reg. of Reynolds*, fol. 282^v; Bodleian Library, Christchurch Archives, Ch. O. 1114.

⁹ Compiled from their account at Michaelmas 1317: K.R. Memo. Roll, 11 Edward II, Michaelmas term, unnumbered mem.

¹⁰ Muniments of Dean and Chapter of Worcester, *Sede Vacante Reg.*, fol. 96^v.

¹¹ Worcester Diocesan Registry, *Reg. of Maidstone*, fol. 8.

11s. 10d. were held by monastic communities as loans.¹ In all probability the loans were merely means for postponing the payments of these communities in a manner which would not render them liable to ecclesiastical censures. At the end of 1317 the abbot and convent of Wigmore had collected only £40 and still owed £114.²

On the whole, the collection of the first year of this tenth appears to have fallen short of the standard upheld by the collectors of immediately preceding tenths. This impression may be erroneous, because the lack of any complete account for the tenth makes it impossible to establish the full amount of the arrears and the rate of speed at which they were recovered, but the substantial sums of arrears which continued to be received until 1321³ are indicative of laxity on the part of some of the collectors and of long delay on the part of some of the payers. The difference was probably due in large part to the decentralization of the administration, which gave greater freedom to local collectors who were disposed to temper the wind to the shorn lamb. Contributory factors were the lack of interest on the part of the payers in the object of the taxation, the difficulty caused by the death of the pope soon after the second instalment of the first year fell due followed by a long vacancy of the apostolic see, and lack of the active help of the royal administration to supplement the papal.

Only one year of the sexennial tenth was ever levied. The suspension of the collection of further instalments after the second payment of the first year had become due was not ordered by the pope, because the apostolic see was vacant. It was to the advantage of the king, because it made way for the collection of subsidies granted to him by the clergy of York in 1314 and by the clergy of Canterbury in 1315,⁴ but no evidence of a royal prohibition exists. Indeed, on 1 December 1314, the prior and convent of Worcester cited the clergy to pay the first term of the second year on 14 January.⁵ Since that payment had been due on 1 October, it may be surmised that the prior finally issued the citation only after hesitation and doubt, which could not have existed had a royal prohibition

¹ Muniments of Dean and Chapter of Norwich, two uncatalogued documents. The second is translated by Lunt, *Papal Revenues*, II, 125-27.

² *Reg. of Orleton*, p. 55. Both of the deputies in the diocese of London issued acquittances in December 1317 to the monks of Westminster for payments due for the first year without mention of excommunication: Muniments of Dean and Chapter of Westminster, 18/5766, 5772.

³ *Reg. of Drogheda*, p. 176; Rymer, *Foedera*, II, 389; *C.P.R. 1317-21*, pp. 322, 331, 392, 400, 423, 437, 440, 502, 509, 511, 513; L.T.R. Enrolled Accounts, Wardrobe 2, mms. 1^v, 17^v; Clerical Subsidy, 67/8.

⁴ Lunt, 'Clerical Tenths,' *Haskins Anniversary Essays*, pp. 180, 181.

⁵ Muniments of Dean and Chapter of Worcester, *Sede Vacante Reg.*, fol. 97. The citation must have been withdrawn or disobeyed.

been in effect. The archbishop of York gave the order for suspension of payment in his diocese,¹ and if the suspension was dependent upon the individual decision of each bishop, it would explain how it was possible for a deputy in Worcester to be demanding the first term of the second year two months after the collection had ceased in York. The reason for the suspension is probably contained in a remark made by the bishop of Bath and Wells in 1317. 'The authority for collecting ceased,' he said, 'on account of the death of the lord pope who imposed the tenth.'² Doubt with regard to the validity of this interpretation of the custom, which the king would not allow to interrupt the collection of the arrears of the papal tenths granted to him, may have caused some bishops to delay action longer than others, but the suspension of the levy of the remaining five years of the tenth finally became universal throughout the two provinces. It also became permanent. After John XXII had been elected, the king sought from him approval of the suspension and its prolongation. On 28 March 1317 the pope ordered continuance of the suspension for three years,³ and a few days later extended the period to five years.⁴ At the expiration of the latter period, however, the collection was not resumed.

Meanwhile Edward II had been obtaining possession of the collected money by devious means. At the outset he had put himself in a position to have some claim on the yield of the tenth in his own dominions, whenever the money should be distributed by the papacy. Shortly before the council of Vienne met, Edward had expressed to the pope his interest in the affairs of the Holy Land,⁵ and early in June 1313, he took the cross at an assembly in France where the king of France and many of his nobles assumed the same emblem.⁶ The possibility of a crusade which would lead to a disbursement of the funds was, however, remote, while the large amount of cash assembled in the cathedrals of his realm was a magnet to the king in his extreme financial need. The death of Clement V on 20 April 1314 was the event which determined him to secure the use of the money. Eight days later, he addressed to the bishops writs ordering each to keep the money of his diocese on deposit without subtraction from it until the receipt of a further royal command on the subject. Meanwhile he was to certify to the exchequer the amount of the money and its place

¹ Announced by a deputy on 25 September 1314: *Chapter Act Book of Beverley*, I, 324, 325.

² Wells Diocesan Registry, Reg. of Drokensford, fol. 4v.

³ Rymer, *Foedera*, II, 319; *Cal. Pap. Regs. Letters*, II, 442; Theiner, *Vet. Mon. Hibernorum*, p. 190; K.R. Memo. Roll, 13 Edward II, m. 86; Lambeth Palace Library, MS. 171, fol. 130v.

⁴ 10 April: *Cal. Pap. Regs. Letters*, II, 416.

⁵ Papal letter of 18 October 1311: Lizerand, *Clément V et Philippe le Bel*, p. 467, no. 28.

⁶ Baluzius, *Vitae*, I, 21; Bouquet, *Recueil*, XXI, 150.

of deposit.¹ On 14 June he directed the bishops to take severe action against payers who refused payment on account of the death of the pope and to report to the exchequer those who maintained their resistance. In this writ he asserted that Clement V had recently granted the tenth to him, and intimated his intention to use it for the Scottish war.² These statements seemed to foreshadow a plan to follow the tactics which his father had applied to the tenth current when Boniface VIII died, but, if he entertained such a project, he soon altered it. In July he began to require the bishops and other depositaries to lend him the money on the security of Italian merchants and others that it would be repaid before a certain date, or could be recovered from the next aid granted to him by the clergy.³ Before 3 October the prelates agreed to deliver the money to the king under this guarantee and with the royal promise to hold them indemnified against the pope.⁴ During the autumn numerous royal writs were issued urging the bishops to hasten the delivery of any balances not yet lent to the king,⁵ and in order to speed the process still more the Bardi and others advanced money to the king in return for assignments on the tenth addressed to the bishops.⁶

After the clergy of the two provinces granted subsidies to the king in 1314 and early in 1315, he began to authorize the prelates who had lent to him the funds of the sexennial tenth to reimburse themselves from the yield of the subsidies.⁷ The prelates of the southern province were to take payment from the first instalment of the subsidy, which was due on 3 May 1315. This was subsequently postponed to the second instalment due on 14 September, and before the final accounting for that instalment was made at the exchequer, the king asked his creditors to allow all of the subsidy to be delivered at the exchequer and to accept a delay of the repayment of their loans till after the meeting of the next parliament.⁸ At the parliament of Lincoln, which met early in 1316, the prelates consented

¹ *C.C.R. 1313-18*, p. 99; *Reg. Dunelmense*, II, 1000; *Reg. of Stapeldon*, p. 428. The last contains the return made by the bishop.

² *Reg. Dunelmense*, II, 1009, 1010.

³ *Parl. Writs*, II, pt. 2, app. pp. 78-80; *Reg. of Stapeldon*, p. 428; *C.C.R. 1313-18*, pp. 110, 111; *Cal. of Fine Rolls*, II, 207; Muniments of Dean and Chapter of Lincoln, Press A, shelf 1, no. 13 (4).

⁴ *C.C.R. 1313-18*, pp. 117, 118.

⁵ *C.P.R. 1313-17*, pp. 188, 197; *Reg. of Stapeldon*, pp. 429, 430; *C.C.R. 1313-18*, pp. 121, 130; *H.M.C., Third Report*, app. p. 361; *Cal. of MSS. of Dean and Chapter of Wells*, II, 588, 589; Rymer, *Foedera*, II, 258; *Reg. of Drogheda*, p. 78.

⁶ *H.M.C., Cal. of MSS. of Dean and Chapter of Wells*, II, 588, 589; *Exch. of Receipt*, Misc. Roll 95.

⁷ *C.P.R. 1313-17*, p. 197; *Salisbury Diocesan Registry*, *Reg. of Mortivall*, II, fols. 10^v, 22^v.

⁸ *Reg. of Stapeldon*, pp. 433, 434; *Parl. Writs*, II, pt. 2, app. pp. 97, 98; *Salisbury Diocesan Registry*, *Reg. of Mortivall*, I, fols. 218^v, 220^v-224; II, fols. 11^v, 12; *Winchester Diocesan Registry*, *Reg. of Woodlock*, fols. 276^v-277^v.

to defer repayment of their loans,¹ and the king issued to the lenders new letters authorizing them to repay themselves from the next subsidy which the clergy should grant to the king.²

After all this juggling with the English prelates, Edward II finally escaped the necessity of repaying the loans by an appeal to the pope. On 15 December 1316, three months after John XXII was consecrated, the king sent to the papal court an embassy similar to that with which his father had greeted Clement V.³ It bore expensive gifts,⁴ and it was empowered to grant pensions to cardinals at its discretion.⁵ To its requests for financial favors John XXII was as responsive as his predecessor had been to the similar petitions of Edward I. The envoys informed him of the temporary appropriation of the tenth by the king, gave assurance of Edward's intention to make a crusade, and asked that he might be allowed to retain the money to relieve his debts. The new pope was ready to aid the king, but he did not wish to divert the tenth imposed by the council of Vienne to uses other than a crusade. He therefore suspended the collection of the remaining five years of this tenth and granted to the king a new one to be paid by the English clergy for one year.⁶ He also lent to the king for five years the yield of the first year of the sexennial tenth, instructing the bishops and other collectors of it to assign to Edward whatever portion of it he had not yet received. He assigned as his reason for the loan the inability of the king to fulfil his vow of a crusade on account of the debts contracted by his father and the present necessities of his realm.⁷

On receipt of the papal concession of the loan, the chancery forwarded copies of it to the bishops accompanied by writs directing them to deliver at the exchequer before 24 June 1317 any balance of the money in deposit, and to cause the remainder to be collected and sent to the exchequer within three weeks of that date.⁸ The bishops notified their deputies,

¹ *C.P.R. 1313-17*, p. 455; *H.M.C., Cal. of MSS. of Dean and Chapter of Wells*, I, 428.

² *C.P.R. 1313-17*, pp. 437, 438, 455; *H.M.C., Cal. of MSS. of Dean and Chapter of Wells*, I, 428; Salisbury Diocesan Registry, Reg. of Mortivall, II, fol. 22^v; Winchester Diocesan Registry, Reg. of Woodlock, fol. 278.

³ Rymer, *Foedera*, II, 303; *Vita Edwardi Secundi*, p. 227.

⁴ Murimuth, *Continuatio*, pp. 25, 26; Devon, *Issues*, p. 133; *C.P.R. 1313-17*, p. 608; Stapleton, 'Brief Summary,' *Archaeologia* XXVI, 322, 323; Langlois, 'Notices et Documents,' *Revue historique*, LXXXVII, 76, 77.

⁵ Rymer, *Foedera*, II, 308; *Cal. of Chancery Warrants, 1244-1326*, p. 455; Stapleton, 'Brief Summary' *Archaeologia*, XXVI, 324.

⁶ 28 and 29 March 1317: Rymer, *Foedera*, II, 319; *Cal. Pap. Regs. Letters*, II, 138, 416, 442; K.R. Memo. Roll, 13 Edward II, m. 86.

⁷ 29 March: Rymer, *Foedera*, II, 320; *Cal. Pap. Regs. Letters*, II, 139, 414, 416; Lambeth Palace Library, Reg. of Reynolds, fol. 214; MS. 171, fol. 130^v.

⁸ 10 June 1317: *C.C.R. 1313-18*, p. 479; *Reg. of Orleton*, p. 2; Harl. Ch. 43 D 19; Wells Diocesan Registry, Reg. of Drokensford, fol. 5; Salisbury Diocesan Registry, Reg. of Mortivall, I, fol. 151.

and required from them in due course accounts and deliveries of whatever they had on hand or could levy immediately. The incomes of debtors who did not pay on demand were to be sequestered.¹ These proceedings often took more time than the writ allowed, and many of the bishops could not comply with it. Second writs setting new dates for the deliveries were directed to them on 1 August.² The return of the bishop of Bath and Wells was typical. He said that he had previously delivered to the king all of the money on deposit, and the remainder would have to be collected. This could be done now that the new pope had renewed his power of collection and coercion, but the process would be slow because his clergy had been rendered poor by so many exactions, by bad crops and by a plague among the cattle.³ To this and similar returns the king replied with further writs assigning later dates for the payments and urging the use of censures and sequestration against the debtors⁴ and of distraint against the deputies.⁵ The archbishop of Canterbury added his persuasions to those of the king.⁶ The bishops eventually responded to the pressure with more vigorous measures. The bishop of Winchester announced his intention to resort to the secular arm,⁷ and even the placid bishop of Bath and Wells threatened his deputies with distraint.⁸ These efforts brought a substantial sum to the exchequer during 1318 and 1319,⁹ and receipts continued to arrive until 1321.¹⁰ The king took it upon himself during this period to decide the application of the papal rules of collection and to grant exemptions from the tax.¹¹

For the sums which the king received from this tenth he issued to the

¹ *Reg. of Sandale*, pp. 50, 51, 58, 60-62, 81, 82, 88; *Reg. of Orleton*, pp. 53, 54; *Reg. of Drogheda*, p. 176; H.M.C., *Cal. of MSS. of Dean and Chapter of Wells*, I, 179; Lambeth Palace Library, *Reg. of Reynolds*, fol. 282v.

² Wells Diocesan Registry, *Reg. of Drogheda*, fol. 4v; Worcester Diocesan Registry, *Reg. of Maidstone*, fol. 55; *C.C.R. 1313-18*, p. 561.

³ Wells Diocesan Registry, *Reg. of Drogheda*, fols. 4v, 5.

⁴ *C.C.R. 1313-18*, p. 535; H.M.C., *Ninth Report*, app. pp. 184, 185; the latter was dated 16 May 1319.

⁵ *Reg. of Halton*, II, 175.

⁶ Lambeth Palace Library, MS. 171, fols. 130v, 131.

⁷ *Reg. of Sandale*, pp. 61, 62.

⁸ H.M.C., *Report on MSS. in Wells Cathedral*, p. 82.

⁹ *C.P.R. 1317-21*, pp. 70, 73, 77, 112, 118, 123, 136, 140, 144, 148, 156, 164, 190, 191, 204, 214, 216, 220, 247, 322, 331, 392, 400; *Exch. of Receipt*, Misc. Roll 95.

¹⁰ *C.P.R. 1317-21*, pp. 423, 437, 440, 502, 509, 511, 513, 560, 562; Clerical Subsidy 67/8; L.T.R. Enrolled Accounts, Wardrobe 2, mems. 1v, 17v. A few assignments were made on the money still in the hands of the deputies: *C.C.R. 1313-18*, p. 519; *1318-23*, pp. 21, 22, 24.

¹¹ *C.P.R. 1317-21*, pp. 223, 252. In one instance he ordered a collector to have the demand for the tenth of a certain church superseded and the sequestration of its fruits relaxed, because it was assessed at less than six marks in the copy of the valuation in the treasury: Worcester Diocesan Registry, *Reg. of Maidstone*, fol. 56.

bishops acquittances which also acknowledged his obligation to repay the loans to the apostolic see within five years of 29 March 1317.¹ Copies of these obligatory letters were given by the bishops to a common messenger, who took them to the pope.² The king also sent obligatory letters directly to the pope. On 8 June 1318, for example, he acknowledged receipt from the bishops of the province of Canterbury of £12,442 4s. 8¾d., specifying the amount received from each bishop, and promised to return the whole sum to the pope.³ The extant letters of this type, which acknowledged a total receipt of £15,247 18s. 9¾d.,⁴ did not cover the whole sum which Edward obtained from the tenth. After the date of the obligation for the province of Canterbury, he issued receipts to the bishops of that province for sums amounting to £1,364 6s. 1½d.⁵ A computation of the receipts based upon the entries in the patent rolls and records of the exchequer gives a total of £17,235 18s. 7¾d., but this figure is probably incomplete, even though the dioceses of Carlisle and Durham were so ravaged by the Scots that the quotas received from them were far below normal. Making allowance for these and other desperate debts and for the expenses of collection, the king probably obtained from this tenth in the neighborhood of £18,500.⁶ Whatever may have been the exact amount, Edward II kept it. His obligatory letters were worthless paper. In an inventory compiled in the papal camera in 1343 the obligation of the king for the loan of this tenth was written off as a hopeless debt.⁷

4. TENTHS GRANTED TO EDWARD II BY JOHN XXII

The annual tenth which John XXII granted to the king on 28 March 1317⁸ was described officially as the tenth 'for relieving the burden of his debts and promoting the cause of the Holy Land.'⁹ The bishops of Winchester and Exeter were commissioned to collect it in two equal portions

¹ *C.C.R. 1313-18*, p. 561; *C.P.R. 1317-21*, pp. 40, and as above, p. 403, notes 9 and 10; Rymer, *Foedera*, II, 389; H.M.C., *Report on MSS. in Various Collections*, IV, 75; Treasury of Receipt, Misc. Bk. 137, p. 6; Muniments of Dean and Chapter of Lincoln, D. II, 56. 2. no. 8.

² *Cal. Pap. Regs. Letters*, II, 170; *Northern Regs.*, pp. 310, 311; Muniments of Dean and Chapter of Exeter, 2179-81.

³ The original: A.A. Arm. I-xviii, no. 583.

⁴ *Ibid.*; Arm. xxxv, vol. 140, fol. 24v; Göller, 'Inventarium,' *Römische Quartalschrift*, xxiii, 100; *Northern Regs.*, p. 310. The discovery of the original has made possible a slight correction of the figure previously given: *Haskins Anniversary Essays*, p. 171, n. 98.

⁵ Compiled with allowance for duplicates from *C.P.R. 1317-21*, pp. 190, 191, 204, 214, 216, 220, 247, 322, 331, 392, 400, 423, 437, 502, 509, 511, 513, 560, 562; Clerical Subsidy, 67/8.

⁶ Lunt, 'Clerical Tenths,' *Haskins Anniversary Essays*, p. 171.

⁷ Arm. xxxv, vol. 140, fol. 24v.

⁸ Theiner, *Vet. Mon. Hibernorum*, pp. 190, 191; *Cal. Pap. Regs. Letters*, II, 138, 442; Rymer, *Foedera*, II, 319, 320; K.R. Memo. Roll, 13 Edward II, m. 86.

⁹ Muniments of Dean and Chapter of Westminster, 18/5771.

within the year beginning at Michaelmas, 1317 and to deliver the proceeds to the king. They were given the customary powers to appoint deputies and to enforce payment by ecclesiastical censures.¹ The bishop of Exeter excused himself from active participation,² and the work was done by John Sandale, bishop of Winchester,³ acting in the name of both bishops.⁴

The dates established for the two instalments were 1 June and 1 October 1318,⁵ and they appear to have been generally observed.⁶ In the diocese of Norwich, however, the second term was postponed, with the consent of the bishop of Winchester, to 9 October, and on 5 November the payment of all arrears was similarly deferred to 13 January 1319.⁷ In the province of York, moreover, the collection of much of the tenth was delayed until 1319 on account of the destruction wrought by the Scots.⁸ Otherwise the final accounts of the deputies were generally demanded and rendered early in 1319.⁹

The final account of the collectors was made at the exchequer by the executors of the bishop of Winchester, who died on 2 November 1319.¹⁰ The charge against the collectors was £19,499 7s. 10 $\frac{1}{4}$ d. From this were deducted £133 6s. 8d. of the bishop's tenth, which was allowed to him in remuneration of his services as collector, £273 13s. 4d. for the expenses of the deputies,¹¹ and a few small items included in the charge erroneously. The balance owed by the collectors was £2,740 16s. 10 $\frac{1}{2}$ d.¹² This re-

¹ K.R. Memo. Roll, 13 Edward II, m. 88.

² Muniments of Dean and Chapter of Norwich, Reg. Nonum, no. 112.

³ Apparent from his letters and the letters of the deputies to him: *Liber Albus of Worcester*, p. 65, no. 804; *Reg. of Drokenesford*, p. 24; Muniments of Dean and Chapter of Norwich, Reg. Nonum, nos. 113-26. Some of the royal writs were addressed to him alone: *C.C.R. 1318-23*, pp. 1, 5, 6, 8, 18, 33, 41, 45, 63, 85.

⁴ L.T.R. Enrolled Accounts, Subsidies and Aids 3, m. 11; Clerical Subsidies, 67/9, no. 40 (1).

⁵ L.T.R. Enrolled Accounts, Subsidies and Aids 3, m. 11. They issued their commissions to deputies on 20 March 1318: Muniments of Dean and Chapter of Durham, Locellus XIX, 52; of Westminster, 18/5771. A list of the deputies appears below, pp. 636, 637.

⁶ Established by dates of acquittances issued by deputies: Bodleian Library, Christchurch Archives, Ch. O. 1117; Muniments of Dean and Chapter of Westminster, 18/5771; of Durham, Misc. Charter 4183. See also Muniments of Dean and Chapter of Worcester, *Liber Albus*, fol. 88 ν .

⁷ Muniments of Dean and Chapter of Norwich, Reg. Nonum, nos. 117, 118.

⁸ Rymer, *Foedera*, II, 380; *C.C.R. 1318-23*, pp. 24, 43; Clerical Subsidy, 67/9, no. 41; Muniments of Dean and Chapter of Durham, Locellus XIX, 37, 49, 110.

⁹ The prior and convent of Worcester accounted at Southwark before John de Cokermuthe and John de Malmesbur', the bishop's commissioners, on 22 January, and the abbot and convent of Glastonbury on 25 January. They received final acquittances dated respectively 28 May and 15 April: Muniments of Dean and Chapter of Worcester, *Liber Albus*, fols. 94, 94 ν ; Wells Diocesan Registry, Reg. of Drokenesford, fol. 24.

¹⁰ *Regs. of Sandale and Asserio*, p. 587.

¹¹ The prior and convent of Worcester received £8 and the abbot and convent of Glastonbury £10.

¹² L.T.R. Enrolled Accounts, Subsidies and Aids 3, m. 11.

mainder was left charged against the bishop, and in 1328 it had been reduced by only £51 16s. 5d.¹ It would be rash to assume, however, that the recovery of the arrears still remained largely undone ten years after the bishop's death. Arrears might have been received at the exchequer which had not yet been credited to the account of the deceased bishop,² and the cardinals and the clergy of Carlisle, who owed substantial sums, had been pardoned their debts before 1328.³

The amount charged to the collectors of this tenth was less than usual, because it was levied in the northern province on the basis of a new valuation. The papal bulls did not specify the valuation to be used, and the new assessment was compiled at the royal command on account of the devastation of clerical property caused by the invasions of the Scots. In the archdeaconry of Richmond the king ordered the use of a valuation which he had caused the archdeacon and his official to make in 1317 for the levy of a tenth granted to him by the clergy of the province of York.⁴ In the remainder of the province a new valuation of the spiritualities and temporalities which had been wasted by the Scots was made by each bishop in his diocese. The writs to the archbishop of York and the bishop of Durham were dated 12 June 1318,⁵ but the writ to the bishop of Carlisle was delayed until 26 October.⁶ On receipt of the writs, the bishops appointed local assessors, who established the revised values by the inquisition of residents of the locality. In the dioceses of Durham⁷ and Carlisle⁸ the revision extended to practically the whole clerical income, but in the diocese of York the revision was only partial. Indeed, the archbishop in his first return, made on 26 July 1318,⁹ overlooked many revenues on which the possessors claimed abatement. These claims were met by the issue of writs ordering supplementary revisions, which continued to be made throughout 1319.¹⁰ Among them were several in the archdeaconry of Richmond.¹¹ The result of this revision was to reduce

¹ £2689 5½d.: Pipe Roll 173, m. 7v.

² The barons of the exchequer were ordered in 1323 or 1324 to allow £110 on the account of the executors of the bishop: *Rot. Orig. Abbrev.*, I, 271. Obviously the deduction had not been made from the charge against the bishop carried in the pipe roll.

³ Below, p. 413.

⁴ 26 September 1318: *C.C.R. 1318-23*, p. 16. The writ to the archdeacon and his official was dated 16 July 1317 and the return 27 July: Clerical Subsidy, 67/9, nos. 31, 37. The archdeacon's official valued the temporalities of Furness: *Coucher Book of Furness*, I, pt. 3, 637.

⁵ *C.P.R. 1317-21*, p. 160; Clerical Subsidy, 67/9, nos. 26, 29, 38.

⁶ Clerical Subsidy, 67/9, no. 41.

⁷ Copies of the returns: Clerical Subsidy, 62/2; 67/9, no. 27.

⁸ The return is Clerical Subsidy 67/9, no. 42. A copy appears in *Reg. of Halton*, II, 183-89, and copies of both are in the *Taxatio*.

⁹ Clerical Subsidy, 67/9, nos. 28, 40 (2).

¹⁰ The latest writ noted was dated 25 November: *C.P.R. 1317-21*, pp. 244, 253, 336, 385; *Cart. de Rievale*, p. 426. The returns are Clerical Subsidy, 67/9, nos. 28, 32-36, 38, 40 (2).

¹¹ *Coucher Book of Furness*, I, pt. 3, 624-33.

the yield of a tenth in the province of York from £4,125 to £2,872.¹ The new valuation, called the *Nova Taxatio*, was employed during the remainder of the reign of Edward II for the levy of income taxes granted to the king by either the clergy or the pope, and, with additional reductions made in the diocese of York in 1328,² it continued in use thereafter until the reign of Henry VIII.

Before the accounts for this tenth had been completed, the king asked the clergy of the two provinces to vote him a tenth to be used against the Scots, who threatened to attack the English church. The clergy of York complied, but the bishops of Canterbury were forced to decline by the opposition of the lower clergy. The bishops, however, obtained the consent of the clergy to petition the pope for authorization to levy a tenth upon the clergy of the province, and shortly after Easter, 1319, they sent Adam Murimuth to the papal court with their request.³ If the lower clergy hoped thus to escape taxation, they were disappointed.⁴ John XXII replied on 29 May 1319 with two letters. One, which was addressed to the archbishop and clergy of the province of Canterbury, commanded them to pay during one year a tenth to be delivered to the king for warfare against the Scots.⁵ The other appointed the archbishop of Canterbury and the bishop of London collectors.⁶

The year began with the date of the bull. The dates of the semi-annual instalments, which the pope directed to be established according to the custom of the province of Canterbury, were fixed by the collectors at 13 October 1319 and 16 February 1320, and the receipts of the deputies at each of these dates were to be transferred to the collectors within two weeks. The collectors appointed their deputies on 8 August 1319.⁷ They also designated Thomas de Stowe and Richard de Bello as commis-

¹ Based on the amounts charged against the collectors of this tenth, the tenth of 1320, and of earlier tenths: L.T.R. Enrolled Accounts, Subsidies and Aids 3, mems. 2, 9, 11.

² On this valuation see my forthcoming article on 'The Collectors of Clerical Subsidies.'

³ Adam of Murimuth, *Continuatio*, p. 30; *Reg. of Gravesend*, pp. 207-9; Clerical Subsidy, 67/9, no. 39.

⁴ Why the lower clergy should have refused the grant and approved the petition is not explained, but apparently it was due to an interpretation of the canon of 1215 to mean that the papal license for such a grant was necessary. This interpretation was sometimes asserted and sometimes ignored by the clergy of Canterbury: *Facts and Factors* by students of E. F. Gay, pp. 66-68, 85, 86; *Essays in Honor of George L. Burr*, pp. 160-63; my article noted above. Apparently the clergy thought that they were permitted by the canon to grant a tax to the king when they chose to do so, but fell back upon the canon as a protection when they did not wish to make a grant.

⁵ Wilkins, *Concilia*, II, 492; K.R. Memo. Roll, 14 Edward II, m. 96.

⁶ Wilkins, *Concilia*, II, 493; *Cal. Pap. Regs. Letters*, II, 185; *Reg. of Gravesend*, p. 209; K.R. Memo. Roll, 14 Edward II, m. 96; Salisbury Diocesan Registry, Reg. of Mortivall, II, fol. 87v.

⁷ Clerical Subsidy, 52/2a; Muniments of Dean and Chapter of Canterbury, Reg. I, fol. 362v; Salisbury Diocesan Registry, Reg. of Mortivall, II, fol. 87v; Lambeth Palace Library, Reg. of Reynolds, fol. 225. They are listed below, pp. 637, 638.

sioners to perform the actual work of collection. The commissioners were empowered to audit the accounts of the deputies, to exact arrears, and to exercise the power reserved to the collectors of the relaxation of ecclesiastical censures.¹ Under their guidance the collection appears to have been accomplished efficiently at the prescribed dates,² and the accounts of the deputies were audited in the spring of 1320.³

The imposition of this tenth secured for the clergy exemption from the payment of a lay twelfth on their temporalities annexed to spiritualities. Before the first instalment of the tenth became due, the king ordered the assessors and collectors of the twelfth to supersede all demands for it on the goods of the clergy of the province of Canterbury, except those usually charged with lay subsidies and not with clerical subsidies. He explained that the extension of the twelfth to their temporalities annexed to spiritualities⁴ had been granted by them with the provision that it would become inoperative should the pope impose a tenth.⁵

When the account of the collectors was audited at the exchequer, they were charged with £16,626 1s. 4½d. and credited with all but £492 3¼d. Their credit included not only their deliveries but also £260 for the expenses of collection, items charged to them erroneously and items which the exchequer took over to levy from the taxpayers who still owed them. The expenses of collection were notably less than usual, because the pope in his commission had directed the collectors to keep them moderate and to take nothing from the tenth for their own remuneration. The precedent thus established was followed in the collection of subsequent tenths. In the collection of the remainder for which they were left responsible, the collectors received the aid of the compulsory processes of the exchequer. The most of it was recovered before the close of 1321, when the exchequer relieved the collectors of further responsibility.⁶

¹ Deputy Keeper, *Thirty-fifth Report*, app. p. 32, no. 342; Lambeth Palace Library, Reg. of Reynolds, fol. 226v; Bodleian Library, Christchurch Archives, Ch. O. 1118. Richard de Astone, canon of St Paul's, seems to have been added to the staff later: *Reg. of Gravesend*, p. 225.

² Acquittances for the first payment were issued on 12 and 13 October and for the second on 12, February: Muniments of Dean and Chapter of Salisbury, Press iv, Box A 1. An acquittance with relaxation of censures was dated 5 March 1320: Bodleian Library, Christchurch Archives, Ch. O. 1118. Records of payments dated only by the year: Blomfield, *Deanery of Bicester*, II, 152; Addit. MS. 35296, fol. 40v.

³ Clerical Subsidy, 52/2a.

⁴ This phrase, though not employed in the writ, was commonly used to designate the clerical temporalities included in the valuation of 1291-93. Except by grant of the clergy they were not liable for lay subsidies, but property acquired by the clergy after the compilation of the valuation was taxed for lay subsidies and not for clerical: Lunt, *Valuation of Norwich*, p. 72, n. 6; Willard, *Parliamentary Taxes*, p. 95.

⁵ C.C.R. 1318-23, p. 156.

⁶ L.T.R. Enrolled Accounts, Subsidies and Aids 3, mems. 8, 10.

Long before the second payment of this tenth was due, the king petitioned the pope for another, and once more John XXII replied favorably. On 18 December 1319 he ordered the English clergy to pay a tenth during the following year to help the king meet the cost of the defense of the realm, and designated the archbishops of Canterbury and Dublin and the bishop of London as collectors. The tenth was to be levied in two equal portions, and the first portion was not to become due before the date set for the second instalment of the tenth then being paid by the clergy of the province of Canterbury.¹ Copies of these bulls were delivered at the exchequer on 20 February 1320² by the bishop of Hereford, who had been the king's representative at the papal court.³

The collectors commissioned their deputies on 14 July 1320.⁴ They set the dates of payment at 13 October 1320 and 16 February 1321, but later they advanced each date by two weeks.⁵ The accounts were rendered at the exchequer by the deputies themselves.⁶ In 1322, when they were enrolled, the collective charge against the deputies was £19,552 2s. 9d., the expenses allowed to them were £210 16s. 8d., and the balance which they still owed was in the neighborhood of £3,000.⁷ A large part of these arrears were recovered within the next two years⁸ by the application of sequestration to the income of the deputies as well as of the taxpayers,⁹ but a number of items were still being sought by the exchequer in the early years of the reign of Edward III.¹⁰

After the levy of this tenth, the attempt of Edward II to make clerical tenths imposed by papal authority a regular source of supply received a brief check. On 19 March 1320 he sent an embassy¹¹ to ask for another

¹ *Cal. Pap. Regs. Letters*, II, 191; *Reg. of Gravesend*, pp. 223, 224; K.R. Memo. Roll, 13 Edward II, m. 99.

² K.R. Memo. Roll, 13 Edward II, m. 77.

³ Rymer, *Foedera*, II, 383, 399.

⁴ K.R. Memo. Roll, 13 Edward II, m. 99v; *Reg. of Gravesend*, p. 226; Muniments of Dean and Chapter of Durham, Locellus XIX, 12. They are listed below, p. 638.

⁵ *Charters relating to Selborne*, I, 87; Bodleian Library, MS. Oseney Ch. 43; Muniments of Dean and Chapter of Westminster, 72/12338. The second date was outside the year prescribed by the bull.

⁶ L.T.R. Enrolled Accounts, Subsidies and Aids 3, mems. 8v-9v; Muniments of Dean and Chapter of Westminster, 18/5781; of Ely, roll with no number. The assignments and deliveries to the wardrobe were smaller than usual and a larger proportion went to the exchequer: *C.P.R. 1317-21*, pp. 436, 442; Chancery Misc., 18/9, no. 4; Exch. K.R. Accounts, 16/18.

⁷ Compiled from L.T.R. Enrolled Accounts, Subsidies and Aids 3, mems. 8v-9v. ⁸ *Ibid.*

⁹ K.R. Memo. Roll, 15 Edward II, m. 67; Salisbury Diocesan Registry, Reg. of Mortivall, I, fols. 180v, 181.

¹⁰ K.R. Memo. Roll 106, m. 192; L.T.R. Memo. Roll 103, m. 128; 104, mems. 128v, 129; 105, m. 113v; 107, mems. 129, 129v, 132; Salisbury Diocesan Registry, Reg. of Mortivall, I, fol. 301; Reg. Sede Vacante bound with Reg. of Wyville, II, fols. 4v, 5.

¹¹ Date of their departure; their letters of credence were dated 15 March: Rymer, *Foedera*, II, 420; Addit. MS. 17362, fol. 11.

tenth. Though he promised to Hugh Despenser, the elder, and Bartholomew Baddlesmere, who were two of the envoys, the cancellation of a debt of 1,000 marks owed by them jointly to the crown, if they should obtain the concession of a tenth or other financial favor worth £2,000,¹ they were forced to return without the desired boon.² The king accepted defeat temporarily, and for a year after the second instalment of the tenth for the defense of the realm was paid, the clergy enjoyed freedom from both royal and papal income taxes. Edward II, however, could ill afford to allow this situation to endure. He had received an income from the taxation of the clergy during so many years of his reign that he had become dependent upon it. On 8 December 1321 he sent an embassy to try his fortune with the pope once more.³ Before the result of this mission was known in England,⁴ he asked the clergy assembled in the Easter parliament at York for the settlement of affairs after the royal victory over the earl of Lancaster to grant him a subsidy. The clergy complied by voting a tax of five pence in the mark of their incomes, subject, as far as the province of Canterbury was concerned, to the ratification of convocation. This was promptly given.⁵

Meanwhile John XXII, on 20 April 1322, ordered the English clergy to pay for the use of the king in the defense of the realm a tenth of their incomes during two years beginning on 30 May 1322. The tenth was to be paid in four equal instalments on 11 November 1322, 5 May and 11 November 1323, and 24 May 1324. On the same day he commissioned the archbishop of Canterbury, the bishop of London and the bishop of Coventry and Lichfield to collect the tax.⁶

The archbishop of Canterbury published the bulls at St Paul's on 20 June 1322,⁷ but the collectors took no further action until January 1323. The delay was doubtless due in part to the levy of the subsidy of five pence in the mark. It was collected during the summer of 1322, and the collectors accounted at the exchequer during the Hilary session of 1323.⁸ Another contributory factor was the king's desire to have the temporali-

¹ *C.C.R.* 1318-23, p. 225.

² They returned on 22 July: Addit. MS. 17362, fol. 11.

³ Rymer, *Foedera*, II, 464.

⁴ The pope's answer was given in letters dated 20 April 1322. These were carried to the king by messengers whose journey from Avignon to York consumed 28 or 29 days: Exch. K.R. Accounts, 309/27, m. 3.

⁵ Parliament sat for three weeks after 11 April, and convocation was summoned on 12 May for 9 June: *Parl. Writs*, II, pt. 2, p. 259; *Charters Relating to Selborne*, I, 87; Lincoln Diocesan Registry, Reg. v (Burghersh), fol. 311v; K.R. Memo. Roll, 16 Edward II, m. 90; *Ann. Paulini*, p. 303; Cotton MS. Vesp. E xxi, fols. 48v-49v.

⁶ Wilkins, *Concilia*, II, 514, 515; K.R. Memo. Roll, 16 Edward II, m. 72v.

⁷ *Ann. Paulini*, p. 304.

⁸ *Charters relating to Selborne*, I, 87; *Reg. of Drogheda*, pp. 203-5, 212.

ties annexed to spiritualities contribute to a lay subsidy granted by parliament at York on 30 November 1322.¹ This wish was made known to the convocation of Canterbury at Lincoln on 14 January 1323. The clergy refused on the ground that the papal biennial tenth made their burden too heavy to permit a further concession without the approval of the apostolic see. After the receipt of this answer, the royal nuncios, on 22 January, produced the bulls imposing the biennial tenth and caused them to be read.²

The machinery of collection was set in motion immediately after the rejection of the royal request by convocation. On 30 January 1323 the bishop of Lichfield, who appears to have acted without the assistance of his two colleagues,³ issued commissions to the deputy collectors.⁴ They collected the first payment, which was long overdue, near the end of February,⁵ and the remaining three at the dates originally set for them.⁶

The deputies accounted to the exchequer for the tenth of the first year in 1323 and for that of the second in 1324. They were charged for the two years with £38,489 14s. 4¾d., and they were left owing a balance of £4,316 16s. 8¾d.⁷ In 1325 the exchequer assisted the deputies to secure the arrears by the issue of writs of *fieri facias*,⁸ but a large amount still remained to be recovered in the early years of the reign of Edward III.⁹

When John XXII conceded the biennial tenth, he reserved a quarter of the proceeds for his own necessities. The reservation was not mentioned in the papal letters which instituted the tenth,¹⁰ but was depend-

¹ *Parl. Writs*, II, pt. 2, p. 278.

² *Ibid.*, pp. 280-84; H.M.C., *Ninth Report*, app. p. 72; Wilkins, *Concilia*, II, 517; Cotton MS. Vesp. E XXI, fols. 51v-53. The bishop of Lichfield published the bulls again on 11 June 1323 and the archbishop of York published them on 7 July: Clerical Subsidy, 15/1; Chancery Misc., 20/4, no. 8.

³ *Reg. of Norbury*, p. 251, n. 13; Muniments of Dean and Chapter of Westminster, 18/5780; Bodleian Library, MS. Ch. Oxon., a 4, no. 263. Listed below, p. 638.

⁴ K.R. Memo. Roll, 16 Edward II, m. 72; Muniments of Dean and Chapter of Westminster, 18/5780; of Canterbury, Reg. I, fol. 386v; of Durham, Locellus XIX, 63.

⁵ Acquittances dated 26 February to 3 March: Muniments of Dean and Chapter of Westminster, 18/5758, 5768; Bodleian Library, MS. Ch. Oxon., a 4, no. 263.

⁶ Acquittances dated 4 to 11 May 1323: *Charters relating to Selborne*, I, 88; Muniments of Dean and Chapter of Westminster, 18/5764; 8 November 1323: Muniments of same, 18/5763; 19 to 21 May 1324: Muniments of same, 18/5769; Bodleian Library, Christchurch Archives, Ch. O. 1122.

⁷ Computed from L.T.R. Enrolled Accounts, Subsidies and Aids 3, mems. 12-15v. The allowance for expenses of collection was £351.

⁸ Salisbury Diocesan Registry, Reg. of Mortivall, I, fol. 247v.

⁹ Pipe Rolls, 172-75, *passim*; 183, mems. 17v, 28v; Pells Receipt Roll 274, mems. 6, 7; 278, m. 4; 281, mems. 8, 9, 12; 285, m. 2; 288, mems. 3, 4, 7, 13; 295, m. 2; 296, m. 3; 299, m. 2; 302, mems. 4, 5; 305, m. 12; 308, mems. 4, 5, 7; 311, m. 9; 314, m. 4; 323, mems. 2, 5; K.R. Memo. Roll 106, m. 192; L.T.R. Memo. Roll 104, mems. 128v, 129; 106, m. 135v; 108, m. 128; *Reg. of Grandisson*, I, 45, no. 60, 50, no. 89, 51, nos. 95, 98; Lincoln Diocesan Record Office, Reg. v b (Burghersh), fols. 83v, 91v, 149v, 155v, 175v-77v.

¹⁰ Rymer, *Foedera*, II, 581.

ent upon an oral statement made by the pope to one of the royal envoys who negotiated with him for the tenth. On 17 September 1323 the pope wrote to the king explaining the reservation and asking why the papal share had not been paid.¹ A year later Edward II expressed his intention to satisfy the papal demand and excused himself for his inability to meet it at the moment.² In 1326 he replied in a similar manner³ to a second demand.⁴ Nearly contemporaneously he sent to the pope by one of his nuncios 5,000 florins as a gift. The pope accepted the money, but chose to regard it as an instalment on the portion of the tenth owed by the king.⁵ This small sum was all of the quarter which the pope obtained. Apparently the obligation of Edward II rested upon a gentlemen's agreement which was not binding on his successor and provided the pope with no adequate ground for the exaction of the quarter from the collectors of the tenth through the agency of his general collector in accordance with the precedent set by Clement V. After the deposition of the impecunious Edward II in 1327, John XXII seems to have made no further effort to secure the quarter of the biennial tenth.

The instructions and powers given by John XXII for the collection of the four tenths which he imposed upon the English clergy in behalf of Edward II were the same in their fundamentals as those which Clement V established for the administration of the three tenths which he granted to the English king. The chief differences were that they provided no form of oath to be taken by the collectors or the deputies, they sometimes specified collection of the tenths in the accustomed manner,⁶ and they exempted only the Hospitallers. The letters relating to the first tenth, indeed, failed to mention any exemptions, and the result was to bring the Hospitallers under contribution for the first time. The omission produced a difficulty with which the collectors were unable to cope, because the assessment of the order's revenues did not appear in the exchequer's copy of the valuation, which was employed for the levy of the tenth. The exchequer finally settled the problem by a decision that the Hospitallers should compound for their tenth by the payment of £200.⁷ This precedent caused the royal officials to assume that the order was liable for the next tenth. They did not continue the composi-

¹ *Cal. Pap. Regs. Letters*, II, 456; Rymer, *Foedera*, II, 536; Papal Bulls, 25/6.

² 19 November 1324: Rymer, *Foedera*, II, 581.

³ 10 June 1326: *ibid.*, II, 629.

⁴ 22 February 1326: *Cal. Pap. Regs. Letters*, II, 476.

⁵ Göller, *Einnahmen unter Johann XXII*, p. 499; *Cal. Pap. Regs. Letters*, II, 477; *Introitus et Exitus* 19, fol. 73; 23, fol. 68; *Collectorie* 378, fol. 74.

⁶ Following the precedent established in the collection of the tenth imposed by the council of Vienne.

⁷ K.R. Memo. Roll, 12 Edward II, Recorda, Hilary Term, unnumbered mem.

tion, but on 2 June 1320, after the tenth had been collected, issued writs commanding each bishop to assess the revenues of the order in his diocese for the purpose of levying the tenth from them.¹ Within a few days the error was discovered and the writs were revoked.²

To this single exemption permitted by the pope³ the king added several. The Carthusian houses of Hinton and Witham, the Minorite sisters without Aldgate and the order of St Lazarus of Jerusalem enjoyed permanent exemptions throughout his reign,⁴ and the custom which exempted vacant abbacies and bishoprics while they were in the royal wardship was also maintained.⁵ The monks of Egleston, the nuns of Marrick and the holder of the church of Llanfaes were pardoned the first tenth.⁶ In 1320 the king exempted from the second tenth several cardinals to whom he wished to display special favor,⁷ and in 1325, at the request of the pope, he pardoned all of the cardinals what they owed for any tenths previously levied during his reign.⁸ Since the cardinals appear to have paid nothing before that date,⁹ the cancellation of past debts was equivalent to an exemption from all tenths of the reign. The clergy of the diocese of Carlisle were pardoned by Edward III in 1327 what they still owed for the tenths imposed during his father's reign,¹⁰ but they were less fortunate than the cardinals, since they had previously paid a portion of their debts.¹¹

The specification that the tenths were to be paid in the customary manner should have been sufficient to secure the use of the established valuation and the observance of the bull concerning doubts. It accomplished neither the one nor the other. The valuation was employed in the province of Canterbury and part of the diocese of York, but in the remainder of the northern province the reduced valuation made for the first tenth was used for all the tenths.¹² The lack of any papal sanction

¹ Salisbury Diocesan Registry, Reg. of Mortivall, I, fol. 170v.

² 17 June: *C.C.R. 1318-23*, p. 197.

³ John XXII requested the king to exempt Rigaud, bishop elect of Winchester, from the third tenth: *Cal. Pap. Regs. Letters*, II, 424. When Rigaud's executors later claimed an exemption, however, they claimed it on the ground that Rigaud did not receive the income of the bishopric while the tenth was current: Exch. K.R. Accounts, 506/27; *Regs. of Sandale and Asserio*, pp. 584-86.

⁴ Above, p. 387; *C.C.R. 1330-33*, p. 187; *1333-37*, pp. 32, 265, 309; *Rot. Parl.*, II, 86; K.R. Memo. Roll 109, m. 120; 111, m. 38; 114, m. 93.

⁵ *C.C.R. 1318-23*, pp. 302, 303.

⁶ *Ibid.*, p. 70; *C.P.R. 1317-21*, pp. 223, 252.

⁷ *C.C.R. 1323-27*, pp. 258, 415.

⁸ Many of these debts were charged in the pipe rolls and were not eliminated until the reign of Edward III.

⁹ Rymer, *Foedera*, II, 696.

¹⁰ L.T.R. Enrolled Accounts, Subsidies and Aids 3, mems. 9, 13v.

¹¹ L.T.R. Enrolled Accounts, Subsidies and Aids, 3, mems. 8-15v; K.R. Memo. Roll, 15 Edward II, m. 67; Muniments of Dean and Chapter of Westminster, 18/5781; *C.C.R. 1318-23*, pp. 269, 273.

of the revision caused no trouble, because all of the proceeds actually went to the king.¹ Some of the deputies who collected the first tenth disregarded the bull concerning doubts by demanding the tax from poor hospitals and nunneries and from holders of benefices worth no more than six marks. Some of the afflicted clergy finally petitioned for remedy at the parliament which assembled at York on 20 October 1318. They received the response that the declaration of the pope was to be followed.² The effect of the decision was to grant the desired exemptions, since the declaration meant was undoubtedly that concerning doubts. This precedent was applied to all of the subsequent tenths,³ though individual deputies sometimes caused difficulties by disregard or misinterpretation of the bull. In 1328 the master and brothers of the poor hospital at Bridgewater obtained a writ summoning the prior of Plympton before the barons of the exchequer to answer for the exaction of £5 for the tenth of the hospital's income in Cornwall, when he was collector of the biennial tenth, and for his failure to obey the order of Edward II to restore it.⁴

The commissions which the collectors of the four tenths gave to their deputies were similar in form to those issued by the bishops of Lincoln and London in the time of Clement V,⁵ and the deputies cited, acquitted, excommunicated and absolved the taxpayers in the same ways and for the same reasons.⁶ An abundance of surviving acquittances for one tenth indicates that the deputies, though instructed to the contrary, often allowed a taxpayer several days of grace before pronouncing sentences against him.⁷ The practice was not new,⁸ but it becomes more evident that it was common.

The relations of the deputies who collected the first two tenths to the

¹ It caused difficulty later, because the papal collectors refused to accept the revised assessment for the levy of papal taxes: my article on collectors noted previously.

² Cole, *Documents*, p. 33. The bishop of Winchester also ruled to that effect: Muniments of Dean and Chapter of Durham, Locellus xix, 49.

³ L.T.R. Enrolled Accounts, Subsidies and Aids 3, mems. 8-15v; Muniments of Dean and Chapter of Worcester, Liber Albus, fol. 94.

⁴ Exch. K.R. Writs (E 202), File 32, writ 6291.

⁵ Examples of commissions for the four tenths are noted above, pp. 405, 407, 409, 411.

⁶ For example, *Chapter Act Book of Beverley*, i, 386; *Charters relating to Selborne*, i, 87; *Reg. of Gravesend*, p. 225; Deputy Keeper, *Thirty-fifth Report*, app. p. 32, no. 342; Muniments of Dean and Chapter of Westminster, 72/12338; of Durham, Locellus xix, 20, 21, 23, 49; *Registrum Secundum*, fol. 111v, attached schedule; Bodleian Library, MS. Ch. Oseney 43; Christchurch Archives, Ch. O. 1118.

⁷ The payments of the third tenth were due on 29 September 1320 and 2 February 1321. Acquittances without relaxations were dated 1, 2, and 13 October and 5 November for the first and 2 and 16 February for the second: Muniments of Dean and Chapter of Westminster, 18/5759, 5770; of Salisbury, Press iv, Box A 1; Bodleian Library, MS. Ch. Oseney 43; Christchurch Archives, Ch. O. 1119; *Charters relating to Selborne*, i, 87.

⁸ Lunt, *Papal Revenues*, i, 223.

collectors and the exchequer were also similar to those maintained by the deputies of the bishops of Lincoln and London. They accounted to the collectors,¹ but they delivered the money to the exchequer, wardrobe, or holders of royal assignments in return for tallies or other vouchers which would be accepted for credit on their accounts.² Nearly the whole of the proceeds of the first tenth were assigned by Edward II to his creditors by writs addressed sometimes to the deputies but more frequently to the collectors.³ Much of the correspondence of the bishop of Winchester with the deputies was given to the problem of distributing the assignments and getting them paid.⁴ The task presented difficulties. The prior and convent of Worcester, for example, wrote to the bishop on 2 July 1318 to explain that they could not honor his order to make an assignment, because they had already paid out the money collected at the first term and would not again have enough until the second instalment should become due on 1 October.⁵ The second tenth the king attempted to anticipate by requesting many prelates to lend him the amounts of their respective tenths from a date in the summer of 1319 until the dates late in that year and early in 1320 when the two instalments of the tenth fell due.⁶ Though some prelates complied,⁷ others excused themselves,⁸ and a second request⁹ brought no better results.¹⁰ On the other hand, assignments upon the collectors and deputies were small.¹¹

In the administration of the third tenth the bishop of London intro-

¹ Muniments of Dean and Chapter of Norwich, Reg. Nonum, nos. 121, 125, 126; of Worcester, Liber Albus, fol. 94; Wells Diocesan Registry, Reg. of Drokenesford, fol. 24. The deputy who was summoned to account for the first term of the first tenth at the parliament of York on 20 October 1318 was subjected to an exceptional procedure: Chancery Misc., 18/9, no. 3 (2).

² For example, *C.P.R.* 1317-21, pp. 191, 212, 213; L.T.R. Enrolled Accounts, Wardrobe 2, m. 17v; Muniments of Dean and Chapter of Worcester, Liber Albus, fol. 94; of Durham, Locellus xix, 21; Misc. Charters 4351, 4908; Wells Diocesan Registry, Reg. of Drokenesford, fol. 24. The bishop of Winchester ordered his deputies not to honor writs and tallies of the exchequer without his express mandate: Muniments of Dean and Chapter of Durham, Locellus xix, 119.

³ *C.C.R.* 1313-18, pp. 522, 551, 555, 556; 1318-23, pp. 1, 5, 6, 18, 33, 41, 45, 63, 85, 103; *C.P.R.* 1317-21, pp. 55, 116, 117, 126, 160, 161, 191, 212, 213; *Rot. Orig. Abbrev.*, I, 248.

⁴ Muniments of Dean and Chapter of Norwich, Reg. Nonum, nos. 112-16, 122, 134; of Durham, Locellus xix, 111; Chancery Misc., 18/9, no. 3 (1); Wells Diocesan Registry, Reg. of Drokenesford, fol. 24.

⁵ Muniments of Dean and Chapter of Worcester, Liber Albus, fol. 88v.

⁶ Writs of 19 and 20 July: *Parl. Writs*, II, pt. 2, app. p. 140; *Reg. of Drokenesford*, p. 135; Salisbury Diocesan Registry, Reg. of Mortivall, I, fol. 166v.

⁷ *Parl. Writs*, II, pt. 2, app. p. 142; *Reg. of Drokenesford*, p. 135.

⁸ Salisbury Diocesan Registry, Reg. of Mortivall, I, fol. 166v; *Cart. de Rameseia*, II, 200; Lunt, 'Clerical Tenths,' *Haskins Anniversary Essays*, p. 174.

⁹ 17 August 1319: Salisbury Diocesan Registry, Reg. of Mortivall, I, fol. 167; *Reg. of Cobham*, p. 36.

¹⁰ Salisbury Diocesan Registry, Reg. of Mortivall, I, fol. 167.

¹¹ *C.C.R.* 1318-23, pp. 183, 197, 293, 393.

duced a new practice. He asked the king to nominate in each diocese the deputy collectors and hold them responsible directly to the exchequer. After the king named the deputies, the collector issued to them commissions of the customary type.¹ The same procedure was followed when the deputies were appointed for the collection of the biennial tenth.² The deputies appointed by this method were still required to account to the collectors,³ but they also accounted to the exchequer, relieving the collectors of that duty.⁴ The situation thus created was akin to that which obtained in the collection of subsidies granted to the king by the clergy.⁵ The collectors still retained the ultimate responsibility. They could and did continue to issue orders to the deputies,⁶ but their participation in the administration was slight. For practical purposes the deputies exercised the responsibility, dealing with the taxpayers on one side and with the exchequer on the other. The exchequer actually named and controlled the deputies, who exercised ecclesiastical powers conferred upon them by the pope through the agency of the collectors.

Why Clement V and John XXII should have granted to the English king so many tenths which profited the royal exchequer so much and the papal camera so little is not easy to explain. When Clement V made his first concession of tenths to Edward I, he may have desired to end the strained relations which had developed over the fiscal situation during the pontificate of Benedict XI. As a Gascon he may have entertained a friendly feeling for Edward I. Possibly not least among the reasons which influenced him may have been the opportunity to levy annates in England and the other lesser favors which he obtained in return. But these reasons, with the possible exception of friendship, could not have had weight with him when he conferred extensive financial favors upon Edward II in 1309. At that time he was thoroughly dissatisfied with the royal treatment of many of the papal interests in England. The king was enforcing most of the limitations placed upon papal collectors in England by the parliament of Carlisle,⁷ and had even gone so far as to have one of the collectors placed under arrest.⁸ He was refusing to arrest persons excommunicated by papal nuncios, though such arrest was customary on the demand of English ordinaries, and he was prohibiting

¹ K.R. Memo. Roll, 13 Edward II, mems. 99, 99^v.

² K.R. Memo. Roll, 16 Edward II, m. 72.

³ K.R. Memo. Roll, 13 Edward II, mems. 99^v, 100.

⁴ L.T.R. Enrolled Accounts, Subsidies and Aids 3, mems. 8, 9, 12-15^v.

⁵ On this see my article on 'The Collectors of Clerical Subsidies.'

⁶ For example, Muniments of Dean and Chapter of Westminster, 72/12338; Chancery Misc. 18/9, no. 4; *Litterae Cantuarienses*, I, 50.

⁷ Lunt, 'William Testa,' *E.H.R.*, XLI, 345-47; Rymer, *Foedera*, II, 41, 42.

⁸ Rymer, *Foedera*, II, 97.

many citations of Englishmen to ecclesiastical courts outside of England. He had also held back 15,000 marks of the tribute which his father had been prepared to pay at the time of his death. Clement V had already asked Edward II to redress these wrongs, and he felt aggrieved because the royal envoys who came seeking favors brought no answer from the king.¹ Edward II was also maintaining his right to examine papal bulls brought into the country and to prohibit entry of those prejudicial to him,² and he was taking a high tone with regard to papal provisions which conflicted with his interests.³ Yet Clement V complied with the royal requests for tenths, taking for himself only a quarter of three of the four years of new tenths and a half of the small amount of arrears of old tenths. He may have thought that a grant of favors was the best way to secure favors, but he made no stipulation in his concessions for any remedy of his grievances against the king. Possibly he was moved by his need of Edward's support of his policy against the Templars,⁴ and by the privileges which the king gave to members of his family in Aquitaine.⁵ It may have been his interest in Gascony which caused him to bring his favors to Edward II to a climax near the close of his pontificate by lending to the king from his private fortune £25,000⁶ on the surety of the royal revenues from Gascony.⁷ Still, one is left to wonder if the fundamental reason for the concessions was not the trait of Clement's character which made it difficult for him to refuse a favor sought by a powerful king.

If this genial weakness was a significant cause of the concessions of tenths made by Clement V, it certainly does not serve to explain the

¹ The grievances are stated in a letter of 28 October 1309: Rymer, *Foedera*, II, 97, 98; Wilkins, *Concilia*, II, 322-25; *Ann. Londonienses*, pp. 165-67. In the letter Clement V said that he had stated them before and was disappointed because the bishop of Norwich brought no answer from the king. The bishop was a member of the delegation which obtained the grant of the tenths in the spring of 1309: *C.C.R. 1307-13*, p. 104; Rymer, *Foedera*, II, 69.

² Rymer, *Foedera*, II, 13; *C.C.R. 1307-13*, p. 173.

³ Deeley, 'Papal Provision,' *E.H.R.*, XLIII, 507, 516; Rymer, *Foedera*, II, 20, 24, 28, 29.

⁴ Mollat, *Les Papes*, p. 246; Stubbs, *Constitutional History*, II, 339.

⁵ Rymer, *Foedera*, II, 51, 72; *C.P.R. 1307-13*, p. 83.

⁶ 160,000 florins.

⁷ Edward petitioned for the loan early in 1313. Clement made it in the summer, and on 28 October the king assigned specific portions of his income from Gascony for its repayment. In a codicil to his will Clement directed that the money should be paid to his nephew, Bertrand de Got, to be used for a crusade and for alms for the poor. After Clement's death, Edward attempted to obtain from the cardinals and later from John XXII release from the obligation to continue payment from the Gascon revenues assigned to meet the debt. Having failed to attain his object, on 1 April 1317 he assigned new Gascon revenues to be paid annually to Clement's executors for five years, when it was estimated that the whole debt would be paid. Payments were maintained for at least three years: Rymer, *Foedera*, II, 197, 205, 231, 251, 304, 322-24; *C.P.R. 1313-17*, 205; Ehrle, 'Nachlass,' *Archiv für Literatur-und Kirchengeschichte*, v, 6, 10-14, 27, 31, 40, 44, 56, 62, 80, 91, 135, 136; Guérard, *Documents pontificaux sur la Gascogne*, I, 52-58.

similar grants of John XXII. When he imposed the first three tenths, he was complaining to the king of many of the same abuses which had occupied the attention of his predecessor and of others similar in kind.¹ He regarded Edward II as a weak and incompetent king, and in a fatherly manner advised him freely to mend his ways and end the disorder in his realm which was causing the oppression of the English clergy and the disregard of papal rights in England.² Possibly he believed that the tenths would help the king to accomplish these desired results. When Edward's envoys appeared at the papal court in the spring of 1320 seeking still another tenth, two of the papal complaints had recently been met. The king had arranged for the repayment of money which he had borrowed from a papal collector,³ and he had finally removed the prohibition which prevented the executors of Anthony Bek, bishop of Durham, from meeting the demands of the papal collector for large sums owed by the bishop to the pope.⁴ Yet on this occasion John XXII denied for the first time a request of this type advanced by Edward II. Many other papal demands still went unheeded by the king, such as that for payment of the arrears of the tribute which had been promised. No significant alteration of this situation appears to have occurred, however, before 20 April 1322, when John XXII reversed his policy and granted the biennial tenth. In the political situation in England, however, a significant change took place on 16 March 1322, when Edward II won the victory which finally freed him from Lancastrian control. If John XXII had granted the previous tenths primarily for the purpose of helping the king to put his kingdom in order, the news of this victory may well have caused him to think that Edward was finally in a position to accomplish the desired end⁵ and to decide that another attempt to aid him with financial support would be worth the risk. Though the coincidence may have been fortuitous, the facts seem to fit the assumption that John XXII was induced to make his financial concessions to Edward II by his desire to help the king improve political conditions in England rather than by the treatment which the king accorded his claims in behalf of himself and the church, though he may have regarded the restoration of strong and orderly government in England as the surest method of promoting his claims.⁶

¹ *Cal. Pap. Regs. Letters*, II, 132, 430, 433, 434, 439.

² *Ibid.*, II, 430, 434.

³ *C.P.R. 1317-21*, pp. 442, 443.

⁴ *C.C.R. 1313-18*, p. 572; *1318-23*, pp. 37, 81; Rymer, *Foedera*, II, 398; Exch. K.R. Accounts, 371/8, m. 91 A.

⁵ See *Cal. Pap. Regs. Letters*, II, 448.

⁶ See, for example, his letter to the king of 18 November 1316: *Cal. Pap. Regs. Letters*, II, 434.

CHAPTER VIII

OBVENTIONS AND LEGACIES FOR THE CRUSADES

1. SOLICITATION OF CONTRIBUTIONS BY THE PAPACY

THE papacy helped to finance the crusades not only by imposing taxes upon clerical incomes but also by inducing both clerks and laymen to make gifts and legacies for the purpose. It was, however, a long time after the papacy began to organize crusades before it attempted to secure general contributions of money for their maintenance. Early crusaders were left to provide for their own expenses as best they might, and Englishmen were accustomed to the solicitations of crusaders for financial aid before the papacy began to make such requests. When Robert, duke of Normandy, set out upon the first crusade, he raised 10,000 marks by giving his duchy in pawn for three years to his brother, William II, who obtained the money by seeking gifts and loans and by making exactions from his English subjects. In order to meet his demands some of the clergy were forced to melt the gold and silver vessels and ornaments of their churches.¹ In 1128 Hugo, a Templar, came from Jerusalem to Henry I in Normandy. He received from the king not only gold and silver but also permission to solicit gifts from his English subjects, from whom he afterwards obtained much treasure.² Henry II gave substantial sums to aid the cause of the Holy Land, and some of his gifts were made in response to petitions from the king of Jerusalem, the Templars or the Hospitallers.³ In 1185, moved by the exhortations of Heraclius, patriarch of Jerusalem, whose cause had been recommended to him by Pope Lucius III, he provided for the defense of Jerusalem a large sum,⁴ which he recovered by a tax levied probably upon the personal property and income of his lay and clerical subjects.⁵

By that time the papacy was becoming interested in raising money as well as men for the crusades. It soon began not only to commend the

¹ Eadmer, *Historia*, pp. 74, 75; William of Malmesbury, *Gesta Regum*, II, 371, 372; Florence of Worcester, *Chron.*, II, 40; Simeon of Durham, *Opera*, II, 227.

² *Anglo-Saxon Chronicle*, II, 225.

³ *Gesta Henrici II*, I, 159; Roger of Hoveden, *Chron.*, II, 255-59; *Itinerarium Regis Ricardi*, p. 26; Roger of Wendover, *Flores*, II, 409; Cartellieri, *Philipp II*, II, 12-14.

⁴ Gervase of Canterbury, *Opera*, I, 325; Giraldus Cambrensis, *Opera*, VIII, 203-10; William of Newburgh, *Historia*, I, 240-47; *Gesta Henrici II*, I, 328-38; Ramsay, *Angevin Empire*, pp. 224-26; Cartellieri, *Philipp II*, II, 18-25.

⁵ Migne, *Patrologia*, ccvii, 306-8; Lunt, 'Clergy and Taxation,' *Facts and Factors* by students of E. F. Gay, pp. 69, 70.

cause of representatives of the kingdom of Jerusalem who came to England seeking funds but also to solicit contributions directly. From time to time a pope secured from a group of Englishmen the concession of financial aid merely by exhortations and persuasions such as the agents of the crusading kingdom had employed previously. Innocent III, in response to an appeal for help from the Templars, sent to John and Philip Augustus the cardinal who persuaded them in 1201 to request a fortieth from their barons in aid of the Holy Land. The aid granted by the English great council in 1222 at the solicitation of the king of Jerusalem may also have had papal support.¹ Although no papal request for this aid has come to light, similar aids were granted contemporaneously in other countries in answer to appeals made by Honorius III.² Other popes may have obtained gifts for the crusades from Englishmen by means solely of request and persuasion, but the papacy, early in its experience, found that appeals for funds were more effective when they were associated with penance and indulgences.

2. EARLY PECUNIARY PENANCES FOR THE CRUSADES

The earliest pecuniary contribution obtained by the papacy from England for the crusades which has come to my attention constituted part of a penance required for absolution. In 1172, when Henry II made his peace with the papal legates at Avranches after the murder of Becket, he promised to pay to the Templars the sum necessary to maintain 200 knights for the defense of Jerusalem during a year.³ Innocent III, when congratulating King John on having confessed his sins, urged him to heed the counsel of the archbishop of Canterbury to send 100 soldiers to the Holy Land.⁴ In 1213 John promised 10,000 marks for the same purpose as part of the settlement which he made with the papacy in order to obtain release from excommunication and interdict.⁵ Guala required Prince Louis, when he abandoned the invasion of England in 1217, to pay a tenth for two years, and his lay followers a twentieth for the same period in order to obtain absolution.⁶ Though these examples may not have represented a practice common with confessors, the prescription of a pilgrimage to Jerusalem as part of the penance for certain types of of-

¹ Above, p. 190; *Cart. de Rameseia*, I, 228; *Rot. Lit. Pat.*, p. 5; Lunt, *Valuation of Norwich*, pp. 12, 13; Mitchell, *Studies*, pp. 45, 46.

² Gottlob, *Kreuzzugs-Steuern*, pp. 26, 27. The annalist of Dunstable asserts that the aid was promised at the instance of the legate, Pandulph, but he resigned the office of legate on 19 July 1221: p. 67; below, p. 611.

³ *Gesta Henrici II*, I, 32; Ralph of Diceto, *Opera*, I, 352; Roger of Wendover, *Flores*, II, 368.

⁴ 27 March 1202: *Cal. Pap. Regs. Letters*, I, 10.

⁵ Mercati, 'La prima Relazione,' *Essays to R. L. Poole*, p. 287.

⁶ Ramsay, *Dawn*, p. 14.

fenses became frequent.¹ In 1200 the journey was ordinarily required in such instances,² but during the course of the thirteenth century commutation of the pilgrimage to a payment of money was often permitted.³ Thus penances enjoined by the popes or other confessors sometimes produced funds for the crusades.

3. INDULGENCES FOR CONTRIBUTIONS TO THE CRUSADES, 1187-1216

A method of stimulating contributions which the papacy found more successful, however, was to offer as a reward for a gift to the Holy Land a reduction of the amount of penance which had been enjoined upon the giver, provided he was penitent and confessed. Though the papacy from the first had granted plenary indulgences to crusaders, and as early as 1125 had extended the boon to those who sent substitutes and to the substitutes,⁴ it did not begin to offer indulgences in return for monetary contributions until after this expedient had been utilized by laymen.⁵ In 1166 the kings of France and England imposed a tax upon the incomes and personal property of their lay and clerical subjects and offered the pardon of one-third of any penance incumbent upon those who paid it faithfully.⁶ By whose authority the indulgence was offered the decree of Henry II did not state. The tax was probably inspired by a papal appeal addressed to Christian princes and nobles in the preceding year,⁷ but the papal letter asked only for warriors and did not mention indulgences for other than those who took part in an expedition to Palestine.⁸ The first pope to utilize this method of obtaining money for the crusades was Gregory VIII. On 29 November 1187, in a letter addressed to all kingdoms, kings and princes, he offered indulgences to those who should contribute to the expenses of the crusade.⁹ The nature of this first indulgence for pecuniary assistance is little known, but Clement III, Gregory's successor, implied that it was a partial indulgence.¹⁰

¹ *Decretales Gregorii IX*, lib. III, tit. XXXIV, cap. VIII; *Cal. Pap. Regs. Letters*, I, 58.

² *Decretales Gregorii IX*, lib. III, tit. XXXIV, cap. VIII.

³ *Cal. Pap. Regs. Letters*, I, 58; *Northern Registers*, pp. 46-58; below, pp. 424-27, 429-31, 437, 441, 450.

⁴ Paulus, *Geschichte*, I, 203, 204; Lunt, *Papal Revenues*, I, 115.

⁵ It had previously offered indulgences of one-seventh of enjoined penances to those giving alms to Hospitallers or Templars, but these indulgences were of a type frequently granted to churches and were not associated with the crusades: Paulus, *Geschichte*, I, 162, 163, 204.

⁶ Gervase of Canterbury, *Opera*, I, 198, 199.

⁷ Cartellieri, *Philipp II*, II, 6.

⁸ Rymer, *Foedera*, I, 21, 22. Paulus assumes, apparently from analogy with the ordinance of 1184, that the indulgence was authorized by the bishops: *Geschichte*, I, 204. The author of the ordinance may have based his statement on actual events, but the ordinance is probably a forgery: Lunt, 'Text of the Ordinance,' *E.H.R.*, XXXVII, 235-42; *idem*, *Valuation of Norwich*, pp. 4-6.

⁹ Paulus, *Geschichte*, I, 204; Jaffé, *Regesta*, 16073.

¹⁰ Giraldus Cambrensis, *Opera*, VIII, 237.

The successors of Gregory VIII used this device frequently. On 10 February 1188 Clement III ordered the archbishop of Canterbury and his suffragans to compel their clerical subjects to contribute from their goods to the aid of the Holy Land, promising to the contributors a share in the remission of sins which he had authorized. He instructed each bishop to appoint clerks to collect and disburse the money under his supervision. If others who were penitent should send a competent subsidy to the Holy Land, the archbishop was empowered to grant them remission of sins proportioned to 'the quality of the person and the quantity of the subvention.'¹ Seven years later Celestine III ordered the archbishop of Canterbury and his suffragans to preach the cross and proclaim indulgences. Among them was pardon of sins according to the judgment of their prelates granted to those who should send aid to the Holy Land from their worldly wealth.² The administration of these early indulgences is described only in the most general terms. The amount of the penance remitted depended upon the size of the gift in relation to the wealth of the contributor. An earl who gave a shilling was not intended to receive as large a remission as a villein who gave the same amount. The extent of the remission awarded was left to the discretion of local prelates. Except in the case of the compulsory alms of the clergy, the local prelates do not appear to have been responsible for the disbursement of the proceeds, but the contributors were expected to send their alms to the Holy Land.

Under Innocent III, who devoted more attention than his predecessors to financing the crusades, the methods of collecting and handling the funds derived from grants of partial indulgences became more fully defined. In the first year of his pontificate he proclaimed a crusade and offered to those who should aid it with a suitable portion of their resources remission of sins 'according to the quantity of the aid and particularly according to the depth of devotion.' In the province of York he appointed as preachers of the crusade and executors of the indulgences the prior of Thurgarton and Master Vacaru, who was probably a prebendary of Southwell. They were free to call upon the archbishop and his suffragans for help, and they were to associate with themselves a Hospitaller and a Templar.³ In the next year he repeated this indulgence in the bull by which he ordained the clerical fortieth, making new provisions for its administration. He authorized the archbishops and bishops, with the counsel of discreet men, to convert the enjoined pen-

¹ *Ibid.*, VIII, 236-39.

² 25 July: Ralph of Diceto, *Opera*, II, 134, 135.

³ 13 August 1198: Roger of Hoveden, *Chron.*, IV, 70-75.

ances of those who should wish to aid the Holy Land from their wealth into the burden of giving alms, 'after the quality of the persons and the extent of their resources have been weighed, and also the strength of the devotion has been considered.' For the receipt of these alms Innocent III adopted a method which had been employed by Henry II for the tax which he imposed for the Holy Land in 1166. He ordered a chest with three locks to be placed in each church where the faithful might deposit their offerings in remission of sins. The bishop was to have one key, the parish priest the second, and a devout layman the third. The proceeds were to be used by the bishop, in collaboration with a Hospitaller, a Templar and a devout layman, to provide with stipends needy crusaders who would give guarantees to remain in defense of the Holy Land for at least a year.¹

Another concession of partial indulgences was made by Innocent III in 1213, when he ordered the preaching of a new crusade.² The local administration was organized fundamentally like that instituted in 1199, but there were significant variations of detail. In England Walter, archdeacon of London, and Master Philip de Oxonia³ were appointed chief executors and given legatine authority. They were to preach the cross and carry out the other provisions of the bull with the assistance of deputies appointed by them. The alms received from those seeking indulgences were to be deposited in chests with three locks, but it was to be done under the supervision of those appointed for the purpose. This time the bishops had no part in the administration, and the keys were to be in the hands of a clerk, a layman and a monk in each parish. The yield was to be deposited in monasteries, and the amount of it was to be reported to the pope by the executors at the end of the year.⁴ In 1214,

¹ 27 December 1199: *ibid.*, iv, 108-12.

² This grant was renewed by decree of the council of the Lateran in 1215: Harduin, *Acta Conciliorum*, vii, 78. I have followed Paulus in the interpretation that only partial indulgences were offered for gifts other than for the expenses of substitutes sent by those pledged to the crusade: *Geschichte*, i, 207. Lea interprets the same phrase to mean plenary indulgences in return for gifts: *History of Confession*, iii, 156. The clause which is so diversely interpreted appears in the letter of 1213, was repeated in the conciliar decree of 1215, and became thereafter the customary formula in similar letters and decrees. In the letter of 1215 it reads: 'Nos . . . omnibus qui laborem propriis personis subierint et expensis plenam suorum peccaminum, de quibus veraciter fuerint corde contricti et ore confessi, veniam indulgemus, et in retributione justorum salutis aeternae pollicemur augmentum. Eis autem qui non in personis propriis illuc accesserint, sed in suis duntaxat expensis iuxta facultatem et qualitatem suam viros idoneos destinarint, et illis similiter qui licet in alienis expensis, in propriis tamen personis accesserint, plenam suorum concedimus veniam peccatorum. Hujus quoque remissionis volumus et concedimus esse participes juxta quantitatem subsidii et devotionis affectum omnes qui ad subventionem ipsius terrae de bonis suis congrue ministrabunt.'

³ Otherwise William de London and Philip de Otheford: *Ann. de Dunstaplia*, p. 40.

⁴ Migne, *Patrologia*, ccxvi, 817-23.

when the executors began their work, Leon, dean of Wells, was associated with them. They divided England into three sections, each taking one. They appointed deputies, of whom the prior of Dunstable acted in the counties of Huntingdon, Bedford and Hertford. They also established the chests in each church. Beyond these meagre details we learn nothing of their activities except that they signed many with the cross and collected much money.¹

By the close of the pontificate of Innocent III the main outlines of the administrative system which was subsequently used for the collection of money given in return for partial indulgences had been established. The executors were sometimes all the bishops and sometimes two or three prelates selected by the pope and the deputies whom they named. The executors were empowered to grant indulgences to those penitent and confessed who gave money for the Holy Land. The amount of the penance remitted was dependent in each case upon the judgment of the executor based upon consideration of the value of the gift in relation to the resources and the depth of the devotion of the giver. The executors arranged for the establishment in each church of locked chests, where the gifts were deposited under the oversight of the executors' agents. The three keys were kept by three trustworthy clerks and laymen of the parish. The executors were responsible for the disposition of the proceeds in accordance with directions given to them by the pope.

4. REDEMPTION OF VOWS TO 1216

By this time the commutation of crusaders' vows to monetary payments was also becoming a significant source of revenue. Though the vow of a pilgrimage to Jerusalem was converted to a payment of gold as early as 1089,² after the crusades began, a crusader who was prevented from fulfilling his vow was usually required to send a substitute in his place and pay his expenses for at least a year.³ The transition from the requirement of an actual substitute to the requirement only of the money necessary to pay for one was easily made, and eventually the redemption of vows of the cross for money became common.

The earliest instances of the practice in Britain which have come to my notice occurred at the time of the third crusade. John of Anagni, bishop of Palestrina, who was acting in England as legate, absolved the bishop of St Davids and Giraldus Cambrensis, archdeacon of St Davids, from their vows on account of age in one case and poverty in both, pro-

¹ *Ann. de Dunstaplia*, p. 40; *Ann. de Waverleia*, p. 281; *Ralph de Coggeshall, Chron.*, pp. 167, 168.

² Lunt, *Papal Revenues*, I, 117.

³ Paulus, *Geschichte*, I, 208, 209.

vided they would give aid to those going to Jerusalem and provide aid and work for the repair of the church of St Davids. He also authorized the dispensation of other Welshmen, whose general condition of poverty he recognized, under the same conditions.¹ In Gerald's case the dispensation proved ineffective, because a later pope required all who had laid aside the sign of the cross to resume it, unless they had a special indulgence from the apostolic see.² Gerald consequently appealed to the pope. In 1204 Innocent III gave him absolution from his oath on account of his old age, contingent upon his dispatch to the Holy Land of as much money as it would have cost him to make the journey. The enforcement of the condition was assigned to the bishops of Ely and Worcester and the archdeacon of Buckingham.³

Possibly Richard I derived profit from redemptions. He obtained from the pope license for those crusaders whom he wished to conduct the government during his absence to remain at home, and then forced them to pay him compositions for their exemptions.⁴ The papal privilege, however, appears to have given the recipients only a postponement of the fulfilment of their vows. In 1202 two of the survivors were still bound by their pledges, and they appeared again in a group for whom John sought a dispensation similar to that obtained by Richard.⁵ In 1207 Geoffrey Fitz Peter, who was one of the two, was urged by the pope to carry out his vow, because the obstacles to its execution had finally been removed.⁶ If the papal license granted at Richard's request did not release his ministers from their vows, the sums which they paid to the king did not constitute redemptions in the ordinary usage of that term. On the other hand, the itinerant justices were instructed on the famous iter of 1194 to ascertain from the juries the names of crusaders who had died without undertaking the journey to Palestine and the value and disposition of their chattels.⁷ Since nearly every item of the instructions given to the justices had for its ultimate purpose the financial profit of the king, this information was probably wanted because the custom was already established that the unfulfilled vows of deceased crusaders must be redeemed from their personal property.⁸

¹ Giraldus Cambrensis, *Opera*, I, 84, 85; III, 71.

² Both Celestine III and Innocent III issued such an order: Roger of Hoveden, *Chron.*, III, 317; *Decretales Gregorii IX*, lib. III, tit. xxxiv, cap. viii; *Ann. S. Edmundi* in Liebermann, *Ungedruckte Geschichtsquellen*, p. 140.

³ Giraldus Cambrensis, *Opera*, III, 71, 285.

⁴ Roger of Hoveden, *Chron.*, III, 17; Richard of Devizes, *De Rebus gestis*, p. 386; Roger of Wendover, *Flores*, III, 9, 10.

⁵ *Cal. Pap. Regs. Letters*, I, 12; Potthast, *Reg.*, 1733.

⁶ *Cal. Pap. Regs. Letters*, I, 29.

⁷ Stubbs, *Select Charters*, p. 260; Pipe Roll Soc., *Pubs.*, XIV, 113.

⁸ For later instances see below, pp. 428, 433, 437, 443, 451.

In the second half of the twelfth century the commutation of crusaders' vows does not appear yet to have been a significant source of income for the crusades. The popes insisted ordinarily that vows should be executed unless some obstacle rendered fulfilment impossible or very difficult. In 1196, in response to a query from the archbishop of Canterbury, Celestine III ruled that those who had taken the cross must go on a crusade unless prevented by poverty, illness or other reasonable hindrance. Those who had good reason might be allowed to defer the journey, but only those whose bodily infirmities were such that they would never be able to go were to be released entirely. Those absolved were to send at their own expense one or more substitutes for a year or more, the number to be dependent upon the extent of their resources.¹

At the beginning of the thirteenth century Innocent III introduced a more liberal attitude. His predecessor's decree seems to have been so strict as to have been difficult of execution, for the archbishop of Canterbury once more placed the question before the apostolic see, and it was in 1200 that Innocent answered him with a rescript which was later incorporated in the canon law.² He put forward the opinion that the infirm and the poor did the cause more harm than good by going, since they could not fight and they had to be helped and supported. Of those so afflicted only nobles who would lead warriors at their own expense, artisans and agriculturalists were to be encouraged to fulfil their vows, and only a few laborers were needed. Others of the infirm and poor should be enjoined to redeem their vows by sending to the Holy Land the equivalent in money of the expenses they would have incurred on the expedition and of any compensation they would have received for their labor, but exception should be made of those upon whom the vow had been imposed for the satisfaction of their misdeeds, since penitents who enjoyed good health ought to experience the labor of the journey, even if they could not fight. Women who were not accompanying their husbands should also be encouraged to redeem their vows according to their resources, unless they were wealthy enough to lead warriors at their own expense. Fighters who were hindered from going should be granted delay if the obstacle was temporary, and compelled to make monetary redemption if the hindrance was permanent. Thus Innocent III made it easy for most of those whose assumption of the cross was likely to be of no advantage to the crusades to redeem their vows, but retained the customary strict construction of excuses offered by those who were able to fight. He placed no emphasis upon the provision of an actual substitute, but spoke only of

¹ Roger of Hoveden, *Chron.*, III, 317, 318.

² *Decretales Gregorii IX*, lib. III, tit. XXXIV, cap. VIII.

the money necessary to provide a substitute. Neither in his decree nor in Celestine's was mention made of indulgence to those who commuted their vows, but presumably commuters would be entitled at least to such partial indulgences as were accorded to those who made gifts without having taken the cross.¹

Though Innocent III permitted absolutions from the crusader's vow to be made more freely, he does not appear to have been actuated primarily by financial motives. He prescribed as fundamental considerations in granting dispensations the salvation of the soul and the advantage of the Holy Land. When John requested that some of his nobles should be released from their crusading vows because their services were needed in the realm, Innocent delayed his answer until the bishop of Ely and the abbot of Bury St Edmunds had investigated the circumstances and reported to him.² In 1213, when he ordered a new crusade to be preached, he explained that aid to the Holy Land would be delayed unduly if the fitness of all who applied for the crusader's badge should be examined before they were allowed to assume it, and authorized all except monks to redeem or defer the vow for urgent necessity or manifest utility,³ but the canon of the council of the Lateran in 1215 required all who had laid aside the sign of the cross to resume it, except those who had encountered such hindrances that the apostolic see should deem it rightful to commute or postpone their vows.⁴

Concerning the administration of redemptions of vows during the pontificate of Innocent III little information is available. In the few recorded instances of absolution granted by the pope himself, special local commissioners were appointed to convey the grace and to compel payment of the subvention.⁵ How the money was to be transmitted to the Holy Land was specified only in the case of a subdeacon of the diocese of Lincoln, who was instructed to make his payment to the master of the Temple in London.⁶ Ordinarily the redemptions were granted at the discretion of local prelates, who must have been responsible for the transmission or disbursement of the proceeds. The decree of 1200 contemplated administration of redemptions by the archbishop of Canterbury and his agents, but did not name the agents. Probably they were the executors of the affairs of the cross who had been appointed in 1198 and 1199, since the executors commissioned in 1213 are known to have acted

¹ Paulus, *Geschichte*, I, 210.

² *Cal. Pap. Regs. Letters*, I, 12, 24, 29.

³ Migne, *Patrologia*, CCXVI, 819, 820.

⁴ Hardouin, *Acta Conciliorum*, VII, 71-74.

⁵ *Cal. Pap. Regs. Letters*, I, 24, 27; Giraldus Cambrensis, *Opera*, III, 71, 72, 285, 286.

⁶ *Cal. Pap. Regs. Letters*, I, 27.

in that capacity.¹ In one instance, the legate, Nicholas, bishop of Tusculum, intervened. When Geoffrey Fitz Peter fell mortally ill, the legate absolved him from his renewed crusader's vow and received 2,000 marks for the Holy Land.²

5. GIFTS AND REDEMPTIONS FOR THE HOLY LAND, 1216-1241

Honorius III continued the preparations for a crusade which his predecessor had begun. After they culminated in expeditions to Palestine and Egypt in 1217 and 1219, he soon began the organization of a new crusade which was finally scheduled to take place in 1227.³ He addressed many letters on the subject to the king, people and clergy of England,⁴ and many Englishmen took part in the crusades.⁵ The preaching of the crusade and the campaign for gifts in return for partial indulgences probably continued during the whole of his pontificate.⁶ The redemption of vows certainly did. In the summer of 1218 many crusaders left England and many others who lacked wealth or strength sent part of their money to the aid of the Holy Land and were absolved from their vows by the pope.⁷ Pandulph was commissioned later in the same year to absolve from the crusader's vow poor or infirm clerks and laymen and those who brought the vow upon themselves by violence done to clerks—excepting the most flagrant cases—on condition that they make contributions to the Holy Land proportioned to their means.⁸ Among those whom he absolved were Hubert de Burgh and the bishop of Durham.⁹ The latter's gift of 1,000 marks was so generous that he was relieved of liability for the triennial twentieth which was then being collected.¹⁰ In 1220 Pandulph was ordered to compel the wearers of the cross to fulfil their vows, but commutations did not cease.¹¹

Gregory IX took over the plans for the crusade of 1227 which Honorius III left uncompleted at the time of his death. In June 1227 a num-

¹ Migne, *Patrologia*, ccxvi, 819, 820, 822, 823.

² Mercati, 'La prima Relazione,' *Essays presented to R. L. Poole*, pp. 286, 287.

³ Mann, *Lives*, xiii, ch. II.

⁴ *Ibid.*; Potthast, *Reg.*, 5380, 5934, 6969, 6970, 7003, 7004; Rodenberg, *Epistolae*, I, 59.

⁵ *Ann. de Waverleia*, pp. 289, 303; *Ann. de Theokesberia*, pp. 64, 69; *Pat. Rolls*, 1216-25, pp. 284, 301, 302, 318, 320, 321; *Ancient Corres.*, I, 183.

⁶ We learn little with regard to the course of events. On 11 August 1225 he directed Otto to induce people to take the cross and to warn them and those already crossed to be ready for departure in 1227: *Vetus Reg. Sarisberiense*, I, 192.

⁷ *Ann. de Waverleia*, p. 289.

⁸ *Cal. Pap. Regs. Letters*, I, 58.

⁹ *Ibid.*, I, 63, 65; *Reg. Honorii III*, 1842, 1959; *Ann. de Dunstaplia*, p. 128.

¹⁰ *Cal. Pap. Regs. Letters*, I, 62, 78; *Reg. Honorii III*, 1889.

¹¹ *Cal. Pap. Regs. Letters*, I, 72, 113.

ber of crusaders left England,¹ in 1228 Frederick II joined the crusaders in Palestine, and early in 1229 he arranged with the Saracens a truce which gave the Christians possession of Jerusalem for ten years. Though the truce would seem to have gained temporarily the objective of the crusaders, individuals and small bands still continued to leave England for the Holy Land.² These activities imply that the solicitation of funds in England continued without intermission. On 4 September 1234 Gregory IX ordered a new crusade to be preached in England. He offered the customary plenary indulgences to those who took part or sent substitutes and partial indulgences apportioned according to the amount of the aid and the depth of the devotion to those who contributed funds. He also suggested that prelates and clergy as well as cities, towns and vills should send to the Holy Land a number proportioned to their resources of armed warriors provided with their expenses.³ He committed the execution of the mandate to the two orders of friars and to certain masters of theology.⁴ The Minors began the work about Easter, 1235, and at Pentecost they renewed it under the direction of Master John de Sancto Quintino.⁵

In the campaign which followed, the executors sought financial aid for the cause by methods which may have been new in England. Matthew Paris recorded with disapproval that the preachers signed persons with the cross on one day and released them from their oaths on the next for the payment of money.⁶ Those who assumed the cross merely to put it aside the next day must have expected to derive some advantage from the action. What they sought was without much doubt a plenary indulgence. In the early papal correspondence with regard to redemptions nothing was said concerning indulgences, but as early as the time of Honorius III some continental crusaders whose vows were commuted to pecuniary payments received the same plenary indulgences as those who participated in the crusade.⁷ Possibly the practice had begun earlier. In the twelfth century the papacy sometimes offered plenary indulgence to a crusader who sent a substitute with his expenses paid, and by the thirteenth century this was the usual formula. It must have been an

¹ Roger of Wendover, *Flores*, iv, 144; *Ann. de Margan*, p. 37.

² *C.P.R.* 1232-47, pp. 6, 17, 21.

³ Matthew Paris, *Chron. Maj.*, iii, 283-87.

⁴ Roger of Wendover, *Flores*, iv, 330, 331.

⁵ *Ann. de Theokesberia*, p. 95.

⁶ *Chron. Maj.*, iii, 287. Matthew's assertion is supported by an article in the complaint of the rectors of England in 1244. They claimed that they could not pay an aid to the pope because most of them were bound by the vow of the cross, intimating that the vows had been taken for the purpose of redemption: *Ann. de Burton*, p. 267.

⁷ Paulus, *Geschichte*, i, 210; ii, 32-34.

easy transition to confer the same indulgence upon one who redeemed his vow with a sum sufficient to pay the expenses of a substitute without the actual provision of a substitute. The first intimation of the existence of the practice in England seems to be Matthew's statement. Since partial indulgences could be obtained by gifts without taking the cross, those who took the oath with the intention of commuting it immediately probably did so because they could obtain a plenary indulgence in that manner. In 1236, moreover, after Thomas, a Templar and a member of the papal household, arrived with papal authorization to commute crusading vows at his discretion, the preachers of the cross began to assert that those who could not make the journey in person could obtain the fullest indulgence by giving in aid of the Holy Land what their resources permitted.¹

These practices appear to have been accompanied by a growing laxity with regard to the requirement of satisfactory excuses for nonfulfilment of crusaders' vows before commutation would be allowed. Though the decretal of Innocent III appears to have justified the redemption of the vows of those who could not fight,² the practice seems generally to have been to grant redemption only on such grounds as old age, illness or poverty.³ In 1240 Gregory IX instructed the friars in France to give release from vows of a crusade in behalf of the Latin empire of Constantinople to all applicants except professional soldiers ('militibus'). No other than the negative reason that one was not a soldier by trade was requisite in order to redeem one's vow for money.⁴ Though this mandate did not apply to England, the spirit of it seems to have been introduced into the English administration. On 31 March 1238 the legate Otto was authorized to absolve from their vows only those who could not fulfil them on account of poverty, old age, debility or infirmity,⁵ but before 1240 he appears to have received other instructions. In that year he wrote for general publication in England a letter in which he said: 'Since, as we have learned, many crusaders of the kingdom of England who are unable to fight go to the apostolic see that they may there be absolved from the

¹ Matthew Paris, *Chron. Maj.*, III, 373, 374.

² *Decretales Gregorii IX*, lib. III, tit. XXXIV, cap. VIII.

³ Above, pp. 426-28.

⁴ Paulus, *Geschichte*, II, 35; *Regs. de Grégoire IX*, 5075.

⁵ Potthast, *Reg.*, 10560. Another bit of evidence is the grant of commutation to the bishop of Carlisle found on folio 30 of a Formulary of the Papal Chancery preserved in the Lea Library at the University of Pennsylvania. The grant was made by reason of old age and debility, and he was required to send warriors according to his means. The greater part of the letters in this portion of the formulary belong to the pontificate of Gregory IX, though some come from Honorius III and some from Innocent IV: Haskins, 'Two Roman Formularies,' *Miscellanea Francesco Ehrle*, IV, 279, 280. The bishop died in 1248 and was not old enough to plead the above excuse before 1227.

vow of the cross, and we have recently received from the highest pontiff a mandate that such we ought not only to absolve but even to compel to redeem their vows, . . . we command your paternity . . . that you cause to be published . . . in your diocese the aforesaid power granted to us.' The amount charged for such a redemption was the estimated cost of the journey to the Holy Land.¹ While Otto's 'crusaders who are unable to fight' may not have been the equivalent of Gregory's 'other than milites,' the compulsory redemption of vows by those who cannot fight is different in spirit from the requirement of earlier popes that all who had taken the cross should be compelled to undertake the journey unless they were too weak or too poor. Though some of the evidence may be vague, its cumulative effect is the impression that the redemption of crusaders' vows became easier of accomplishment during the pontificate of Gregory IX than it had been before.²

The offer of plenary indulgences by preachers of this crusade for sufficiently large payments rendered by those who had not taken the cross may not have been sanctioned by the pope. In the bull of 1234 Gregory IX promised only partial indulgences for contributions of this nature,³ but Roger of Wendover reproduced an abbreviated and apparently corrupt copy of the bull in which the indulgence was stated to be plenary.⁴ Possibly the preachers of the cross in England used this garbled version of the bull as justification for their offer, but possibly they were authorized to make it by another bull. Gregory's successor unquestionably offered plenary indulgences to those who were not pledged to the crusade, if they should give a stipulated portion of their possessions to the cause.⁵

The friars were still preaching the cross and administering indulgences and redemptions in 1240 and 1241,⁶ but they had associated with them not only the legate but also the bishops.⁷ The responsibility for the assembly and disbursement of the proceeds seems, indeed, to have rested

¹ Matthew Paris, *Chron. Maj.*, IV, 6, 7, 9.

² See also below, p. 434. The decree of an English episcopal synod, which Wilkins attributes to 1237, seems to conflict with this conclusion. It enjoined all crusaders in the diocese to execute their vows without delay, and only those who were too old or too ill were excused: *Concilia*, I, 662. Lea argued therefrom that the pope was less strict about requiring adequate excuses than were the local prelates: *History of Confession*, III, 157. It seems to me more probable that Wilkins misdated the document, and that it belonged to an earlier age when the requirements were stricter. This is confirmed by Miss Lang, who, on independent grounds, assigns the decree to the period between 1216 and 1223: Gibbs and Lang, *Bishops and Reform*, p. 109.

³ Matthew Paris, *Chron. Maj.*, III, 283.

⁴ Flores, IV, 330.

⁵ Below, p. 440.

⁶ Matthew Paris, *Chron. Maj.*, IV, 9, 133.

⁷ Some of the bishops took part in preaching the crusade: Felten, *Robert Grossteste*, p. 18; Mann, *Lives*, XIII, 412.

principally with the bishops.¹ In 1238 the pope granted to Richard of Cornwall the fruits of the twentieth, thirtieth, redemptions of vows and legacies for the Holy Land,² and commissioned the archbishops of Canterbury and York, the bishop of Lincoln and the legate to see that they were deposited in the New Temple and delivered to the earl, if he should make the crusade to which he was pledged.³ What disposition was to be made of the gifts other than the redemptions and legacies the letter did not state.⁴

6. LEGACIES FOR THE HOLY LAND

This grant of legacies for the Holy Land constitutes the earliest exercise by the papacy of a general right to dispose of the revenues arising in England from that source which has come to my attention, though the right may have been established long before. In 1190 the archbishop of Canterbury left his property to the Holy Land, and his executor, the bishop of Salisbury, used the money to pay the stipends of crusaders without any help from the pope.⁵ Gregory IX intervened in 1227 to order the Templars, with whom had been deposited 4,000 marks which William Brewer had bequeathed to his nephew, the bishop of Exeter, to spend in aid of the Holy Land, to deliver the money to the bishop, who was going on the crusade.⁶ This was far short of the disposition of all legacies for the purpose which he ordered in 1238, but evidence concerning the bequests of testators whose executors or heirs were not crusaders is not forthcoming. It seems probable that before 1238 such bequests would have come naturally to the papal executors who were established to receive and disburse the gifts of the living. After 1238 this disposition of bequests for the Holy Land was customary.⁷

7. THE COLLECTION AND PAYMENT TO RICHARD OF CORNWALL OF LEGACIES AND REDEMPTIONS

When Richard of Cornwall returned from the Holy Land on 7 January 1242,⁸ he had received only a portion of the legacies and redemptions,⁹

¹ *Regs. de Grégoire IX*, 4509; Rymer, *Foedera*, I, 241; *C.P.R.* 1232-47, p. 250.

² The grant was later altered and then restored: Above, p. 195.

³ *Regs. de Grégoire IX*, 4268-72; Matthew Paris, *Additamenta*, p. 118. Gregory subsequently assigned to a nobleman the redemptions which arose on his own estates, if they had not been granted to another: *Regs. de Grégoire IX*, 4509.

⁴ Bliss enumerates them in his summary of the grant, but the copy of the grant which he summarizes does not mention them: *Cal. Pap. Regs. Letters*, I, 170; *Regs. de Grégoire IX*, 4268.

⁵ Roger of Wendover, *Flores*, III, 34; Ralph of Diceto, *Opera*, II, 88.

⁶ *Pat. Rolls*, 1225-32, p. 89; *Cal. Pap. Regs. Letters*, I, 117; *Regs. de Grégoire IX*, 24.

⁷ Sometimes the testator ordered the delivery of the sum left for the Holy Land to the pope, but this was not the common practice: Woodruff, 'Will of Peter de Aqua Blanca,' *Camden Miscellany*, XIV, 3; below, p. 447.

⁸ Matthew Paris, *Chron. Maj.*, IV, 180.

⁹ Lunt, *Papal Revenues*, II, 489.

and the vacancy of the holy see doubtless made recovery of the remainder difficult. As soon as the see was filled, he brought the situation to the attention of the pope, who commissioned both the general collector, Master Martin, and the English archbishops, bishops, prelates and religious to assign to the earl immediately any of the money in deposit and to cause the remainder to be collected and delivered to him. The period of the grant ran to the date of his return to England.¹ These measures caused the transfer of some money to the earl,² but the work of collection was neglected by the English prelates to such an extent that Innocent IV, on 13 March 1246, appointed John Sarracenus, dean of Wells, and Giles de Wocumb, archdeacon of Berkshire, to finish any of the work left undone at the end of three months.³ Seven months later he substituted Berard of Nimfa, a papal scribe dwelling in England, for the archdeacon, who was absent from the kingdom.⁴ During the next four years John and Berard were active in the execution of their commission.⁵ Their procedure is illustrated by the mandate which they directed to the bishop of Lincoln on 4 June 1247.⁶ They required him, under penalty of interdict for neglect, to cite his archdeacons and their officials to appear before them at St Martin le Grand in London on 19 August, prepared to obey the papal mandate with regard to render of the money due, under threat of legal penalties for failure of obedience. When they learned from these interviews of debtors who still owed money for the crusade, they often proceeded against them in person. Berard, for example, met the executors of the testament of Robert de Haya, advanced the claim that he had been signed with the cross, and secured 26 marks,⁷ apparently for the redemption of his vow.⁸ The annalist of Dunstable asserted that the claim was false, and later Matthew Paris also charged Berard with dishonest practices, although he implied that the collector was merely following papal instructions.⁹ At the close of 1247 the collectors had their hands strengthened by a new commission which authorized them to force both collectors and depositaries to render accounts under oath.¹⁰ After 1250 the activities of the collectors received less notice from the chroniclers,

¹ Martin began the levy about Easter, 1244: *Ann. de Dunstaplia*, p. 166. The English prelates were commissioned on 3 June 1244: Lunt, *Papal Revenues*, II, 488, 489.

² Lunt, *Papal Revenues*, II, 489.

³ Matthew Paris, *Additamenta*, p. 118.

⁴ *Ibid.*, p. 135.

⁵ Gervase of Canterbury, *Cont.*, II, 203; Matthew Paris, *Chron. Maj.*, IV, 635; V, 74, 146; *Ann. de Dunstaplia*, p. 172.

⁶ Matthew Paris, *Additamenta*, pp. 134-36.

⁷ *Ann. de Dunstaplia*, p. 172.

⁸ Matthew Paris, *Additamenta*, p. 137.

⁹ *Chron. Maj.*, V, 146, 707, 713.

¹⁰ *Cal. Pap. Regs. Letters*, I, 240.

but they did not cease entirely. In 1254 Berard was seeking the help of the royal government to secure the distraint of those still in debt for what was then called the 'old crusade' to distinguish it from the new crusade projected by Henry III.¹ He continued the levy of arrears under Alexander IV, and as late as 1257, in association with the elect of Lichfield, he was demanding legacies which were still in the hands of testamentary executors.² After his death in 1258 we hear no more of the collection.

Though the amount which Richard of Cornwall received from redemptions and legacies is unknown, a few items provide some notion of the extent of his profits. In 1244 the dean and chapter of Salisbury paid to him £89 10s. arising in the prebends and dignities of the chapter alone.³ The dean and chapter of Chichester paid for delivery to him £277 6s. from money which appears to have been deposited with them.⁴ In 1246 the archdeacon of St Albans transferred to the earl £25 from his small archdeaconry,⁵ and in the next year Matthew Paris heard it rumored that another archdeacon had paid £600.⁶ These figures give some background to the vague assertions of the chroniclers that 'infinite' money was collected.⁷

8. CAMPAIGN FOR FUNDS FOR THE LATIN EMPIRE OF CONSTANTINOPLE BEGUN IN 1237

Gregory IX, in 1237, had his attention diverted from the needs of the Holy Land to those of the Latin empire of Constantinople.⁸ On 30 October he directed the bishop of Winchester to preach a crusade in behalf of the empire. He offered to crusaders and to those who commuted vows to join this expedition the same pardon of sins that they would obtain by performance of the same acts in relation to a crusade to Syria.⁹ The pardon was a plenary indulgence. Three days later he announced to the prelates and chapters of England that aid given to the empire in accordance with the counsel of the bishop of Winchester and the elect of Valence would obtain from the apostolic see for the giver the same pardon of sins as the same aid given to the Holy Land.¹⁰ A year later he commissioned the provincial prior of the Dominicans to urge both clerks and laymen to assist the empire, promising to those who did so the indulgences offered by the fourth council of the Lateran for help rendered to

¹ *C.P.R.* 1247-58, p. 371.

³ Lunt, *Papal Revenues*, II, 489.

⁵ Matthew Paris, *Addamenta*, p. 138.

⁷ *Ibid.*, IV, 635; Gervase of Canterbury, *Opera*, II, 203.

⁸ Above, p. 194.

⁹ *Regs. de Grégoire IX*, 3935, 3937, 3944.

¹⁰ *Ibid.*, 3946.

² *Regs. d'Alexandre IV*, 2013.

⁴ H.M.C., *Report on Various*, I, 190.

⁶ Matthew Paris, *Chron. Maj.*, IV, 635.

the Holy Land.¹ The response to these appeals seems to have been negligible. Henry III gave £500 directly to Emperor Baldwin,² but nothing indicates that his example was followed by his subjects. Apparently other Englishmen who desired indulgences preferred, like the king's brother, to give their services or money for a crusade to the Holy Land. The whole campaign for the eastern empire appears to have fallen flat in England.

9. OBVENTIONS AND LEGACIES FOR CRUSADES DECREED IN 1245

Soon after Innocent IV became pope, the capture of Jerusalem by the Kharismian Turks caused the promotion of a new crusade. On 23 January 1245 Innocent announced his intention to Henry III, proclaiming for participants and contributors the indulgences which had become stereotyped since 1215.³ On 6 February he appointed the Franciscans to preach the crusade and administer the indulgences.⁴ Later in the year the council of Lyons decreed the same indulgences.⁵ In another canon it directed each bishop, when preaching or enjoining penance, to urge people to make bequests in aid either of Jerusalem or Constantinople for remission of their sins. The bishop was to keep under his seal any money thus obtained and to list in writing bequests of things other than money.⁶ In 1246 the pope extended the varieties of obventions to be collected for the empire of Constantinople. He offered to those aiding the empire the amounts of pardon which were offered to those aiding the Holy Land in a similar manner,⁷ and ordered to be converted to the use of the empire the money which living usurers had acquired by usury, the proceeds of usury left by will, the bequests left during the next three years for restitution of property which the testators had acquired wrongfully, the money acquired wrongfully by the living which could not be restored to those from whom it had been taken, and bequests left to be distributed for pious uses at the discretion of the executors, provided they were not bequeathed to definite persons or places, were not owed to any one, and had not already been converted to pious uses by the executors.⁸

The collection of the revenues for the empire other than legacies was committed in 1246 to the English Franciscans and Dominicans. They were authorized to make the inquiries necessary to discover the existence

¹ *Ibid.*, 4619.

² Rymer, *Foedera*, I, 235.

³ Rymer, *Foedera*, I, 254, 255.

⁴ Delorme, 'Bulle d'Innocent IV,' *Archivium Franciscanum Historicum*, VI, 387-89.

⁵ Rymer, *Foedera*, I, 279; *Ann. de Burton*, p. 271; Matthew Paris, *Chron. Maj.*, IV, 456-62.

⁶ Canon xv: Héfélé, *Conciles*, VIII, 367.

⁷ *Ann. de Burton*, p. 278; Matthew Paris, *Chron. Maj.*, IV, 565.

⁸ Matthew Paris, *Chron. Maj.*, IV, 565.

of the several items and to compel the giving of evidence by ecclesiastical censures. The provincial minister of the Franciscans was further empowered to absolve from excommunication those who committed fraud, after they had given satisfaction.¹ In the same year the bishops of Lincoln and Worcester were given charge of preaching the crusade for the Holy Land,² and the bishop of Tusculum, acting as papal legate, was commissioned to preach the cross in England, Scotland, Germany, Denmark and Brabant.³ The two commissions led to a conflict of jurisdiction which the bishops of Lincoln and Worcester brought to the attention of the pope. On 8 February 1247 he ruled that all in England, Wales and Ireland who promised to send suitable warriors or money to the Holy Land should not be required to submit to the judgment of a foreigner, but should be awarded plenary or partial indulgences as the bishop of Worcester should judge the extent of their possessions and the depth of their devotion to warrant. He also notified the bishop that none who assumed the cross should be compelled to redeem his vow or to fight against others than the Saracens.⁴ Two days later he ordered the bishops of Lincoln and Worcester to collect in person or by deputies the gifts offered for the Holy Land and to appoint from among the crusaders conservators who should disburse the money for the stipends of native warriors and for other affairs of the Holy Land.⁵ Four months later he added legacies and redemptions to the revenues which they were to collect and directed them to distribute all the proceeds among the crusaders as should seem to them expedient. This commission superseded entirely any powers previously conferred upon the bishop of Tusculum,⁶ eliminated the conservators, and left the two bishops superior to the friars who were preaching the crusade for the Holy Land, as far as the collection and disposal of the proceeds were concerned.⁷ They remained in office until 17 October 1250.⁸

The crusade in behalf of the Latins of the eastern empire made so little

¹ *Ibid.*, iv, 564-66.

² The commission is lacking, but a papal letter of 10 February 1247 referred to it: *Regs. d'Innocent IV*, 2961.

³ 6 November: *Regs. d'Innocent IV*, 2229; *Cal. Pap. Regs. Letters*, i, 229; Hauréau, 'Quelques Lettres,' *Notices et Extraits des Manuscrits*, xxiv, pt. 2, pp. 209, 210.

⁴ *Regs. d'Innocent IV*, 2959, 2960, 2963; *Cal. Pap. Regs. Letters*, i, 234, 235.

⁵ *Regs. d'Innocent IV*, 2961.

⁶ 7 June 1247: *Regs. d'Innocent IV*, 2843; *Cal. Pap. Regs. Letters*, i, 234.

⁷ Matthew Paris, *Addamenta*, pp. 137, 138. The diocese of Hereford was apparently outside their jurisdiction. On 10 October 1246 the bishop of Hereford was directed to cause redemptions of vows which could not be fulfilled on account of just hindrance and any other obventions arising in his diocese to be assigned to himself for three years. He was to convert them to the use of crusaders as the pope should direct: *Regs. d'Innocent IV*, 2238; *Cal. Pap. Regs. Letters*, i, 229.

⁸ *Cal. Pap. Regs. Letters*, i, 263, 264.

impression on contemporary sources that one is left to wonder whether any crusaders or money were raised for it in England, but more information is available concerning the collection and administration of funds for the crusade to the Holy Land than has been discovered concerning those aspects of any previous crusade. On 1 August 1247 the bishop of Lincoln ordered his archdeacons to appoint in each parish the priest and some trustworthy crusaders to list the names of crusaders who were dead or should die, how much they had promised or bequeathed to the Holy Land, and the names of their executors, and to notify the executors to be prepared to meet a demand for the money. The attested list was to be sent to the rural dean, who was to compile a list for the whole deanery and deliver it at the house of the Minors or Preachers who had preached the crusade in the deanery. Immediately thereafter the money was to be collected under supervision of the friar who had preached the cross or of a deputy appointed by him. It was then to be deposited in a sacred building to await the demand of the bishops of Lincoln and Worcester. If a crusader died intestate, his friends and the friars appointed to preach the crusade were to ordain as much of his property for the Holy Land as could be done without scandal, in order that he might obtain plenary indulgence. If one who was not a crusader fell mortally ill, he was to be warned by the chaplain and others present for drawing up his will to take the cross and name the sum which he would give for the crusade, after he had been told that if he gave to the extent of his resources, he would receive plenary indulgence, and that if he gave less, he would receive partial indulgence according to the amount of his donation and the strength of his devotion.¹ These instructions leave no doubt that plenary indulgences were granted for redemptions of vows, if the amount paid was sufficient, and they attest the emphasis which was placed upon the exchange of indulgences for money.² They also bring out the thoroughness of the administrative organization which extended to every parish.

The disbursements of the proceeds made by the collectors are known in only a few instances. The dean and chapter of Chichester delivered, on the order of the bishop of Worcester, to Geoffrey de Lucy £132 14s. from the money of the cross deposited with them.³ The two bishops promised to William de Valence 2,200 marks. Before 6 March 1250 they had paid about £900,⁴ and later they transferred to William an addi-

¹ Matthew Paris, *Additamenta*, pp. 137, 138.

² Matthew Paris also told how the friars signed with the cross the old and the infirm, absolving them on the next day for a price: *Chron. Maj.*, v, 73.

³ H.M.C., *Report on Various*, I, 190. Geoffrey took the cross in the spring of 1247: Matthew Paris, *Chron. Maj.*, IV, 629.

⁴ *Rôles Gascons*, I, 3014, 3586, 3656; Close Roll, 37-39 Henry III (no. 68), m. 6v.

tional sum of £472 3s. 4½d. which was released by the death of William de Cantilupe, to whom it had been granted in the first place.¹ The bishop of Lincoln and John Anglicus, the papal collector, assigned to the bishop of Worcester, who took the cross in 1247, the offerings, legacies and redemptions made in his own diocese.² Doubtless there were many more assignments, since the pope, on 17 October 1250, ordered the collectors to list the sums promised to crusaders in order that they might know what each was to receive when the general crusade should take place.³

Innocent IV, however, did not leave the collectors free to dispose of all the proceeds. In 1247 he granted to William Longespee £1,000 from the redemptions of the diocese of Lincoln, and when the grant proved ineffective, he changed it to 2,000 marks from the money of the crusade assembled anywhere in England.⁴ He refused, on the other hand, to grant all of the legacies and obventions to the king, who, though he did not take the cross in 1247,⁵ began to plan for an English crusade under the leadership of his half-brother, Guy of Lusignan. Innocent was not prepared to revoke the concessions already made by the bishops of Lincoln and Worcester. He did direct the collectors to manage the funds in a manner which would be acceptable to the king,⁶ but neither they nor the pope ceased to make new assignments. On 11 November 1247 Innocent granted to Robert de Kenci, a kinsman of Simon de Montfort, the legacies and obventions arising in the lands of himself, the earl of Winchester and William de Ferrers, provided the two latter were not crusaders and had no vassals pledged to the crusade whose interests would be prejudiced.⁷ Early in 1248 he superseded all concessions except that of the old crusade to Richard of Cornwall. He directed the collectors to deposit the receipts in certain places in the name of the Roman church in order that he might dispose of them.⁸ Three months later he cancelled this mandate and told the two bishops to revert to the former system of distribution by themselves.⁹ Subsequently he ordered them to consign 4,000 marks to Simon de Montfort.¹⁰

¹ *C.P.R.* 1247-58, p. 411.

² *Cal. Pap. Regs. Letters*, I, 263; Potthast, *Reg.*, 14058.

³ *Regs. d'Innocent IV*, 4880; *Cal. Pap. Regs. Letters*, I, 264.

⁴ *Cal. Pap. Regs. Letters*, I, 232, 242, 255; *Regs. d'Innocent IV*, 2758, 2759, 3723, 3724, 4474, 4484; Matthew Paris, *Chron. Maj.*, IV, 636.

⁵ *Regs. d'Innocent IV*, 4054; II, p. clviii. Cf. Gasquet, *Henry III*, p. 276; Smith, *Church and State*, p. 158.

⁶ 30 August 1247: *Regs. d'Innocent IV*, 4054, 4055; *Cal. Pap. Regs. Letters*, I, 248.

⁷ *Regs. d'Innocent IV*, 3475; *Cal. Pap. Regs. Letters*, I, 239.

⁸ 11 January: *Regs. d'Innocent IV*, 4085; *Cal. Pap. Regs. Letters*, I, 249.

⁹ 12 April: *Regs. d'Innocent IV*, 3838; *Cal. Pap. Regs. Letters*, I, 244.

¹⁰ 12 June 1248: *Regs. d'Innocent IV*, II, p. clvii, n. 4; Bémont, *Simon de Montfort*, pp. 71, 72. The earl received 1,000 marks: *C.P.R.* 1247-58, p. 459. Since he did not go on a crusade, presumably he had to return it.

The bishops of Lincoln and Worcester ceased to levy new obventions and legacies after 6 March 1250, when Henry III took the cross¹ and received a papal grant of the gifts and legacies made in England thereafter.² They continued to collect the money which had become due previously, but they were soon relieved of that task. On 17 October 1250 the bishop of Chichester and the archdeacon of Essex were directed to finish the work after they and John Anglicus had audited the accounts of the bishop of Worcester.³ The proceeds they were to use to complete fulfilment of the promises which the two bishops had made to crusaders previous to the beginning of the king's grant.⁴ Later Innocent IV approved a royal petition for any balance of the proceeds which had not been appropriated to others,⁵ but he denied a further petition for any assignments to others which had not yet been collected from the debtors.⁶ His only further concessions were to award to the king any sum which a crusader might have received in excess of the amount of his grant and to forbid the execution of any concessions made to others after the grant to the king became effective.⁷ These grants brought several other collectors into the field. The collection of the unappropriated proceeds was assigned on 7 March 1251 to the archbishops of Canterbury and York and the bishops of Ely and Hereford,⁸ who were also collectors of the legacies and gifts arising after 6 March 1250,⁹ and they were replaced in both capacities by the bishops of Norwich and Chichester and the abbot of Westminster before 3 May 1254. The new collectors administered the unappropriated proceeds of gifts and legacies made before 6 March 1250 for only a short time. On 23 September 1254 the king suspended their collection of that money, because he desired the bishop of Worcester to answer to him for it.¹⁰ The collection of the surpluses in excess of their grants received by any crusaders was committed on 23 February 1252 to the abbot of Westminster and John Mansel.¹¹

¹ Lunt, *Valuation of Norwich*, p. 55.

² The grant was dated 26 April, but it appears to have been retroactive to 6 March: Rymer, *Foedera*, I, 272-74; H.M.C., *Report on Various*, I, 190.

³ They were granted moderate necessary expenses from the funds which they should collect: *Regs. d'Innocent IV*, 4872, 4875, 4876; *Cal. Pap. Regs. Letters*, I, 263.

⁴ *Regs. d'Innocent IV*, 4880, 4881; *Cal. Pap. Regs. Letters*, I, 264.

⁵ Prynn, *Records*, II, 760; Close Roll, 35 Henry III, m. 20v.; *Regs. d'Innocent IV*, 5127; *Cal. Pap. Regs. Letters*, I, 268.

⁶ *Ann. de Burton*, pp. 298, 299.

⁷ *Regs. d'Innocent IV*, 5656, 5657; *Cal. Pap. Regs. Letters*, I, 276.

⁸ *Regs. d'Innocent IV*, 5127.

⁹ Below, p. 440.

¹⁰ *Rôles Gascons*, I, 3586, 4098; *C.P.R. 1247-58*, p. 334; below, p. 441.

¹¹ *Regs. d'Innocent IV*, 5656, 5657.

10. NEW CAMPAIGN FOR FUNDS INSTITUTED IN 1250

The assumption of the cross by Henry III gave new vigor to the crusading movement in England. Innocent IV responded by appointing the archbishops of Canterbury and York, the bishops of Chichester, Exeter and St Davids, the provincial prior of the Dominicans and the provincial minister of the Franciscans to conduct a new campaign for men and money.¹ They were empowered to offer the usual indulgences, but those to be awarded in return for gifts of money were more carefully defined. Plenary pardon of sins was to be given not only to crusaders, substitutes and the senders of substitutes but also to those who should give a quarter or more of their income to the cause. Partial indulgence proportioned to the amount of the gift and the depth of the devotion of the giver was to be conferred upon those who should contribute a tenth or other part of their goods. The executors could also convey absolution for a number of enumerated offenses to those who took the cross, sent a sufficient number of warriors or gave money proportioned in accordance with the judgment of the executors to the nature of the sin and the resources of the penitent. They had power to commute vows of other pilgrimages and of abstinence to crusading vows and to redeem the vows of crusaders who should be prevented from making a crusade. They were to appoint deputies, to compel payment of debts by ecclesiastical censures, and to deliver their receipts to the king when he should begin his journey, provided the apostolic see had disposed otherwise of no part of them meanwhile. The heads of the two orders of friars were authorized to collect procurations for five persons and mounts while they were engaged with the business of the cross. Two years later Innocent added two new revenues to be collected for the crusade.² They were goods bequeathed to pious uses not distinctly named and not previously assigned to definite persons or places by the executors, and restorations of usury or other illicit gains made by penitents at the instance of their confessors, provided the money could not be returned to the defrauded persons.

The collectors of these revenues were changed several times by Innocent IV. On 30 April 1250 the archbishops of Canterbury and York and the bishops of Hereford, Ely and Durham were empowered to collect gifts, legacies and redemptions,³ and before 26 May 1252 the bishop of Norwich and the abbot of Westminster appear to have been added to the panel.⁴ In October 1252 the abbot and prior of Westminster were made

¹ 26 April 1250: Rymer, *Foedera*, I, 272, 273.

² 14 and 15 October 1252: Rymer, *Foedera*, I, 286, 287.

³ Rymer, *Foedera*, I, 274.

⁴ Prynne, *Records*, II, 767. A papal letter of 1 September 1252 mentioned only the original five: Rymer, *Foedera*, I, 285.

special collectors of indistinct legacies and restorations of illicit gains,¹ and on 13 November the bishop of Chichester took charge of preaching the crusade at the instance of the royal council.² The final change occurred on 3 May 1254, when the bishops of Chichester and Norwich and the abbot of Westminster were directed by the king's council, acting upon apostolic authority, to take entire control of the execution of the business of the cross, including the collection of legacies and obventions.³

Throughout this period the crusade was preached repeatedly by bishops and friars acting upon the urgings of both pope and king.⁴ The financial returns of the effort are unknown, but some of the methods employed to raise money receive elucidation. Some of those who took the cross intended to redeem their vows for cash. The king announced that he would compel none who took the cross to ransom his vow for more than he promised at the time when he assumed the badge.⁵ A papal mandate of 3 September 1252 which required crusaders to be prepared to sail with the king, excepting only those prevented by such good reasons that their vows ought to be deferred or commuted by the pope⁶ may have put a limitation upon the practice, but those who had reasonable excuses for not making the journey continued to redeem their vows. The customary amount charged for redemption was the estimated cost of the journey, had it been made in person.⁷ The pope must have given some stimulus to the recruiting of crusaders when he licensed the archbishops of Canterbury and York to grant to crusaders' wives who were penitent and confessed whatever pardon of sins their husbands received.⁸ The process of begging legacies for the cause appears to have been organized with all the thoroughness of detail which had been employed between 1246 and 1250.⁹

Alexander IV at first ignored the grant of legacies and obventions which his predecessor had made to Henry III. Soon after his accession he appointed John de Canter, a Franciscan of the diocese of Worcester,

¹ Rymer, *Foedera*, I, 286, 287.

² *Ibid.*, I, 288; *C.P.R. 1247-58*, pp. 164, 168.

³ *C.P.R. 1247-58*, pp. 370, 377; Prynn, *Records*, II, 814; *Rôles Gascons*, I, 3656.

⁴ *Ann. de Theokesberia*, p. 148; Matthew Paris, *Chron. Maj.*, v, 281, 282; *C.P.R. 1247-58*, pp. 164, 168, 377; Prynn, *Records*, II, 769.

⁵ *C.P.R. 1247-58*, p. 84. The executors of the cross attempted to increase the amounts promised — sometimes by the pressure of ecclesiastical censures — with sufficient frequency to evoke protest at the second council of Lyons in 1274: Stroick, 'Collectio,' *Archivium Franciscanum Historicum*, XXIV, 40.

⁶ *Cal. Pap. Regs. Letters*, I, 279.

⁷ *C.P.R. 1247-58*, p. 164.

⁸ 3 September 1252: *Cal. Pap. Regs. Letters*, I, 279.

⁹ Matthew Paris, *Chron. Maj.*, v, 405.

and the archdeacon of Middlesex to collect these revenues and distribute them to crusaders at their discretion. After the king protested that they belonged to him, the pope commissioned the archbishop of Canterbury and Rostand to collect redemptions, indistinct legacies and obventions of any kind for the Holy Land, to keep them deposited in safe places and ultimately to deliver them to the king in order that he might be able to fulfil his crusading vow. He also explained to the friar and the archdeacon that he had not intended to encroach upon the concession made by Innocent IV and ordered them to do nothing to the prejudice of the king.¹ The order appears to have been tantamount to a revocation of their commission. Rostand did not arrive in England to begin work under the commission issued to him and the archbishop until August or September 1255.² Previous to that time the bishop of Norwich and the abbot of Westminster continued to act as collectors.³

Before Rostand reached England, he and the archbishop of Canterbury had received additional commissions and instructions. They were to collect the money deputed to the Holy Land for any reason both before and after Henry took the cross and assign it to the king for the execution of his business in Sicily.⁴ They were to compel those who had received money from the subsidy for the Holy Land from the bishops of Lincoln and Worcester or from others to change their vows from a crusade to the Holy Land to a Sicilian expedition or to surrender the money to the king. If the receivers of such sums had died, their heirs were to be required to restore the money.⁵ Rostand and the archbishop were also commissioned to preach a new crusade against Manfred and the Saracens of Nuceria, offering the indulgences which the general council had decreed for the participators in and contributors to a crusade in behalf of the Holy Land,⁶ and they were empowered to alter the objective of Henry's crusading vow to Sicily.⁷ On 22 May they were appointed general executors of the business of the cross with directions to observe the orders contained in previous apostolic letters on the subject, and all earlier commissions concerning the business of the cross were revoked.⁸

Rostand published his powers and appointed deputies soon after his arrival. He usually commissioned the same deputies to collect both the

¹ The commission of the friar and the archdeacon and the protest of the king are known only by the papal letter of 28 July 1255 ordering nothing to be done to the king's prejudice. The commission of Rostand and the archbishop was dated 29 April 1255: Rymer, *Foedera*, I, 325; *Ann. de Burton*, p. 350.

² *Ann. de Dunstaplia*, p. 196; *Close Rolls, 1254-56*, p. 129.

³ *C.P.R. 1247-58*, pp. 411, 440.

⁴ *Ann. de Burton*, pp. 350, 351.

⁵ Rymer, *Foedera*, I, 322.

⁶ *Ann. de Burton*, pp. 352, 353.

⁷ Rymer, *Foedera*, I, 319, 322.

⁸ *Ann. de Burton*, pp. 350, 351, 353, 354.

obventions and the tenth,¹ but he gave the two tasks to different deputies in a few dioceses.² The deputies soon issued orders to the archdeacons and rural deans in their collectorates for the performance of a long list of duties under penalty of excommunication for failure.³ They were to cite in every deanery the collectors of money deputed to the Holy Land from any source to appear before the deputy on a stated day early in 1256, bringing any money in their possession and their accounts and documents. At the meeting they were to counsel the deputy where the money might best be deposited and how the mandates received by the deputy might best be executed. The money, they were warned, was to be assigned only to the deputy, unless a mandate from Rostand gave direction to the contrary. Each dean was to enjoin his parish priests to inquire concerning legacies for the Holy Land made both by crusaders and by others since the date of the return of Richard of Cornwall from his crusade. They were also to obtain information concerning crusaders who had died intestate, locate their goods and have them sequestered. If any crusaders had died with their vows unredeemed, whether testate or intestate, their executors were to be compelled to make the redemptions. All crusaders who had been able to fight when they took the cross, but had since become disabled by any cause, were also to redeem their vows. Those who had assumed the cross under condition that they should send money to aid the Holy Land and those who had promised money 'for the sake of having the pardon of the cross' were to be required to give satisfaction to the deputy, if they had not yet met their obligations. If any such had died, their executors, or those to whom their goods had come, were to be compelled to meet the debt. In every rural deanery inventories of property indistinctly bequeathed were to be made. Crusaders who wished to redeem their vows were to be notified to report to the deputy. The deans were to see that in each parish church frequent announcements should be made concerning the indulgences and redemptions offered, and they were to assist the preachers of the crusade who would come to their respective districts.

When these demands became known, they produced opposition. The preaching of a crusade against Manfred impressed unfavorably many who thought that the same indulgences ought not to be given for shedding Christian blood as for waging war against infidels.⁴ They took a hostile

¹ *Ann. de Burton*, pp. 350-60; Matthew Paris, *Additamenta*, pp. 312-14.

² Deputies charged only with the collection of obventions and legacies were Master Thomas de Pynelesdon in Norwich and Master Robert de Totton in Salisbury, Bath and Wells and Exeter: *C.P.R.* 1247-58, pp. 461, 470.

³ *Ann. de Burton*, pp. 354-60; Matthew Paris, *Additamenta*, pp. 312-14.

⁴ Matthew Paris, *Chron. Maj.*, v, 521, 522.

attitude toward the attempt to raise money for the project. Early in 1256 the clergy, acting within a diocese or an archdeaconry, formulated their criticisms.¹ They objected to the claim of indistinct legacies. These were meant to be distributed locally to relatives, servants, paupers or pious uses, and they could not be taken for the king without violation of the intentions of the testators. The clergy found fault with the manner in which Rostand exercised his jurisdiction over crusaders. He and his agents, they asserted, drew the subjects of ordinaries to remote places, to the prejudice of the ordinaries and against the privileges of the crusaders themselves. They assumed jurisdiction over those not signed with the cross who had given or promised money for a crusade. They absolved excommunicates and relaxed judicial penalties which had been inflicted. The clergy also challenged Rostand's right to commit his powers to rural deans, when his own jurisdiction had not yet been established.²

Some of these grievances Rostand remedied.³ On 29 January 1256 he instructed his deputies not to encroach upon the jurisdiction of the ordinaries by extending their jurisdiction to persons not covered by crusaders' privileges.⁴ He also forbade them to lift penalties which had been inflicted in the form of a judgment, though they were free to change and relax penalties imposed in the penitential forum. This explanation makes it apparent that the power to commute penalties imposed for penance in certain types of offenses to payments of money in aid of the Holy Land, which Innocent IV had conferred upon the executors of the cross in 1250, was still being exercised. Rostand also announced that clerks who paid the tenth fully would receive the same indulgence as those who actually went in person to aid the Holy Land.⁵ Perhaps he hoped thereby to allay some of the dissatisfaction. He ignored the complaint with regard to indistinct legacies, and they continued to be collected.⁶

After this glimpse of the detailed methods followed by Alexander's agents, we are accorded only a general view of the subsequent course of events. The executors were changed several times. The changes followed the same course as those of the principal collectors of the tenth,

¹ Above, pp. 269-71.

² *Ann. de Burton*, pp. 361-63.

³ *Ibid.*, pp. 363, 364.

⁴ This limitation was later impaired. By a bull which Rostand published on 25 March 1257 he was empowered to decide all litigation of crusaders and all causes concerned with legacies to the Holy Land or indistinct legacies, with the right of appeal removed: *Ann. de Burton*, p. 388.

⁵ Presumably he had papal authority for the indulgence, though the first bull giving him this power, which I have found, was dated 7 October 1256: Rymer, *Foedera*, I, 350.

⁶ Prynn, *Records*, II, 864, 956, 965, 966; *C.P.R.* 1247-58, p. 514; 1258-62, p. 99; Shirley, *Letters*, II, 152.

who were always commissioned to collect both the tenth and the legacies and obventions.¹ Henry III intervened in the administration of these revenues and in the disposal of the funds² in much the same manner and measure that he did in the administration and disposal of the tenth,³ and the same was true of the council during its period of power.⁴ The proceeds were handled like those of the tenth, and they were applied in the same way to the debt which the king contracted for the Sicilian crown.⁵ Urban IV claimed the arrears, as he did those of the tenth, on the ground that Henry had forfeited his right to them by failure to keep his contract with regard to Sicily.⁶ Thus, for the first time, the obventions and legacies collected in England for crusaders went to the papacy and not to local crusaders or directly to the Holy Land.

11. THE CRUSADE AUTHORIZED BY URBAN IV

Urban IV commissioned his general collector, Leonard of Messina, to collect whatever was owed to the Holy Land from a vow, promise, redemption of a vow, deposit, testament or any other source,⁷ and Clement IV conferred the same powers upon his collector, Sinitius.⁸ Both commissions referred to arrears left from previous crusades, since each pope instituted a new crusade and appointed a collector of funds for it. In 1262 Urban ordered crusades to be preached in behalf of both the Latin empire of Constantinople and the Holy Land,⁹ but it was not until 12 July 1263 that he authorized a crusade for the latter to be preached in England,¹⁰ and he did not commission the bishop of Worcester to execute the mandate until the next October.¹¹ The bishop was empowered to offer indulgences which were not only defined in detail but were also said to be the same as those decreed by the fourth council of the Lateran. He was also appointed the chief collector of gifts, legacies, redemptions and other obventions. He could appoint his own assistants and dismiss or retain executors who had been appointed previously. The proceeds

¹ Above, pp. 275, 276, 280; below, p. 616.

² Prynne, *Records*, II, 862-64; *C.P.R. 1247-58*, pp. 459, 470, 482, 505, 508, 509, 514, 527.

³ Above, pp. 261, 262, 287-89.

⁴ Prynne, *Records*, II, 956, 965, 966; *C.P.R. 1258-66*, p. 99; Shirley, *Letters*, II, 152; Close Roll, 43 Henry III, m. 8v; 44 Henry III, m. 3v; above, pp. 283, 284.

⁵ *C.P.R. 1247-58*, pp. 470, 498, 500, 501, 508, 509, 587; Papal Bulls, 64/19; Prynne, *Records*, II, 862.

⁶ Above, pp. 284, 285.

⁷ 19 January 1262: *Regs. d'Urbain IV*, I, 132.

⁸ 23 May 1266: *Regs. de Clément IV*, 765.

⁹ Rocquain, *La Cour de Rome*, II, 157-64; Potthast, *Reg.*, 18332, 18351.

¹⁰ *Regs. d'Urbain IV*, II, 397. The letter announced the appointment of the bishop of Worcester as the chief preacher of the cross, but the bishop's commission was not issued until later.

¹¹ *Regs. d'Urbain IV*, II, 466-68, 472; Gervase of Canterbury, *Cont.*, II, 231, 232.

he was to deliver to the nuncios of the Holy Land, Giles, archbishop of Tyre, and John de Valenciennes, lord of Cayphas. When he travelled on the business of the cross, he could exact entertainment from English prelates for himself and his following. Because Urban had heard that executors appointed earlier by the apostolic see had made excessive grants from the funds, the bishop was ordered to forbid them to proceed with the collection. They were to report to the apostolic see the assignments made and the amounts collected, and await the judgment of the pope with regard to the disposition of the proceeds. Contrary to the usual practice, the jurisdiction of the bishop of Worcester was confined to England, and the bishop of St Davids was made executor of the cross for Wales with the same powers and duties. These commissions were probably never executed. They could not have reached the bishops before England was upon the verge of civil war. After the barons won control of the government in 1264, they refused to admit a papal legate to England, and on 2 October 1264 Urban died.

12. THE CRUSADING MOVEMENT BEGUN BY CLEMENT IV

Clement IV appointed Ottobon to preach the cross in England before 25 October 1266, since on that date he urged the legate to pursue the task more fervently.¹ Ottobon broached the subject at a convocation of English prelates which he convened at Bury St Edmunds on 9 February 1267,² and thereafter the friars of both orders preached the cross, offered indulgences, and absolved from their vows of the cross those who would pay money according to their resources.³ Legacies for the Holy Land,⁴ indistinct legacies and gifts were also collected, and the redemptions of the vows of deceased crusaders were sought in the customary manner from the executors or from those who had received the goods of the deceased.⁵

The money assembled by Ottobon was used to pay the expenses of crusaders. On 25 October 1266 Clement ordered the legate to provide from the proceeds for the expenses of 500 crossbowmen to be sent to Syria before the general passage began. If crossbowmen could not be obtained in England, they were to be enlisted in southern France.⁶ On 9 April

¹ *Regs. de Clément IV*, 1146.

² Graham, 'Letters of Ottoboni,' *E.H.R.*, xv, 102.

³ William of Newburgh, *Cont.*, pp. 552, 553.

⁴ *Cal. Pap. Regs. Letters*, i, 435.

⁵ They were sought by the general collectors whom Gregory X appointed in 1272 before he ordered the preaching of a new crusade: *Ann. de Wintonia*, pp. 113, 114. According to Raine's edition of extracts from Archbishop Giffard's register, confessors were collecting pecuniary penances for the crusade in 1268. He has misdated documents which belong to 1275: *Northern Regs.*, pp. 46, 47; *Reg. of W. Giffard*, p. 278.

⁶ *Cal. Pap. Regs. Letters*, i, 421, 436.

1268 the pope instructed the legate to absolve Henry III from his crusader's oath and grant him pardon of his sins, if he would send his son Edmund with a suitable following in his place. To Edmund he was to give such aid from legacies and redemptions as should seem to him expedient.¹ Clement also ordered Ottobon to pay to two English knights 600 marks each, and the legate delivered 2,000 marks to Roger de Leybourne of the diocese of Canterbury. After the crusade was over difficulties arose over crusaders who had gone and had failed to receive the sums promised to them and crusaders who received money and had not gone.²

Who became responsible for the collection of legacies and obventions after Ottobon left England in 1268 is not apparent. During the vacancy of the apostolic see which followed soon after, their collection may have ceased on the ground that the commissions issued by Clement IV lost validity with his death. Not long before, however, collectors of legacies and obventions appointed by Alexander IV or by his principal collectors appear to have continued their work without new commissions from Urban IV.³ Contemporaneously, moreover, the collection of the triennial tenth granted to the king went forward without interruption after Clement's death. Since a crusade left England under the leadership of Henry's sons during the period of the vacancy, it may be deemed probable that the collection of legacies and obventions did not cease. However that may have been, Gregory X was prompt to arrange for their collection. He assigned the duty to Raymond de Nogaret and Pierre d'Aussone in 1272. They were to levy all legacies and obventions designed for the Holy Land, deposit their receipts in one place and notify the pope of their receipts and deposits.⁴ The nuncios informed the clergy of Canterbury of this commission at a convocation which met during Hilarytide, 1273, and stated their intention to institute inquiries with regard to indistinct legacies, legacies to the Holy Land, crusading vows, promises of aid to the Holy Land, the administration of executors, and the goods of deceased crusaders.⁵ In addition to this general commission, the collectors were ordered to receive from the heir 8,000 marks which Richard of Cornwall had bequeathed to the Holy Land, and to examine the wills of John Mansel and Boniface, archbishop of Canterbury, for bequests to the Holy Land.⁶

¹ *Ibid.*, I, 435; *Regs. de Clément IV*, 609.

² *Cal. Pap. Regs. Letters*, I, 444, 445; *Regs. de Grégoire X*, 191.

³ *Regs. d'Urban IV*, II, 468.

⁴ 'In desideriiis nostris,' cited from *Cod. Vaticell.* by Hirsch-Gereuth, *Studien*, p. 21, n. 56.

⁵ *Ann. de Wintonia*, pp. 113, 114.

⁶ *Cal. Pap. Regs. Letters*, I, 444, 621; *Regs. de Grégoire X*, 189, 190; Delisle, 'Mémoire,' *Mémoires de l'Institut national de France, Académie des Inscriptions et Belles-Lettres*, XXXIII, pt. 2, 108.

The history of one legacy which Raymond recovered illustrates the inefficiency of the loose and disconnected system of collection. In 1250 one of the executors of Geoffrey de Bancis, with the approval of a friar who was probably the preacher of the crusade in the district, deposited with the prior and convent of Barnwell £11 18s. 4d., which the deceased Geoffrey had bequeathed to the Holy Land. The prior and convent agreed to deliver the deposit to the executor when a general passage should take place. The deposit was not withdrawn when the English departed on their crusade in 1270, probably because the executor who made it had died meanwhile. Not long afterward, his executor and another executor of Geoffrey de Bancis demanded the money. The executors finally granted a delay of three years, and at its expiration summoned the prior and convent to appear before the commissioner of Raymond de Norgaret. The hearing took place in November 1275. It terminated with an order for the prior and convent to deliver the money to Raymond before the next Easter.¹ Thus a legacy remained uncollected for twenty-five years, despite a steady succession of collectors and the intervention of a crusade.

13. THE CRUSADING PROJECT OF GREGORY X

Gregory X launched his own crusading project at the second council of Lyons. On 18 May 1274 the council adopted a constitution which authorized the preaching of a crusade, granted the same indulgences that had been offered by the fourth council of the Lateran, ordered the pecuniary penances prescribed for blasphemy in the canon law to be exacted by the ordinaries and given to the collectors of obventions for the Holy Land, directed confessors to persuade penitents to make wills containing bequests for the cause, arranged for the establishment in each church of chests with three locks and for a weekly service in each church for the purpose of stimulating the faithful to put alms in the chest in remission of their sins, and exhorted rulers to ordain that each of the faithful should give a penny a year to the crusading subsidy.² Nothing further was heard about the last item in England,³ but the remainder of the program was rendered operative by letters which the pope addressed to the archbishops and bishops on 17 September 1274.⁴ The letters commissioned the recipients to preach the crusade, announce the indulgences,

¹ *Liber de Bernewelle*, pp. 148-50.

² Finke, *Konzilienstudien*, pp. 113-16.

³ The continuator of William of Newburgh mentioned it, but without implication that it was levied: p. 569.

⁴ *Regs. de Grégoire X*, 569.

and collect the several items of revenue. They were to have the chests set up and to arrange for the weekly services in connection with them. The revenues which they were to collect were legacies and other obventions which had already become due or should arise in the future. The proceeds they were to deposit with the keepers of the sexennial tenth. They were to summon all crusaders to serve, redeeming the vows only of those detained legitimately. They were further empowered to absolve from the sentence of excommunication persons who had incurred it for one of several specified offenses, provided the seekers of absolution would take the vow of the cross and, in accordance with the judgment of the bishop, fulfil it, send substitutes, or contribute a satisfactory portion of their wealth. Gregory also appointed John of Darlington and Gerard, bishop of Verdun, who were collectors of the tenth, the provincial minister of the Franciscans and his fellow friars to preach the cross.¹ They necessarily took some part in the administration of indulgences, redemptions and gifts,² but the collection of the money remained primarily the function of the bishops.

The archbishop of York began work in his diocese on 18 February 1275, when he ordered his archdeacons to see that the chests were installed. In March he began to give absolutions in return for vows of the cross, which for the most part he allowed to be redeemed for money. During the next two years he absolved over 200 laymen and clerks who had laid violent hands upon clerks or had received ordination from alien bishops without the consent of their diocesans. A few upon whom heavy payments were inflicted were allowed the alternative of the crusade at their option. Several penitents were required to pay half a mark, and others were assessed ten marks, twenty pounds, or a quarter, a third or a half of their goods, but the sum ordinarily demanded was five shillings or less. In one instance he commuted a vow to visit the shrine of St James at Compostella for two shillings, and in another he required an adulterer to go to the Holy Land in person or send a suitable warrior in his place. In the latter case he exacted a bond of £100 which would be forfeited to the Holy Land should the offense be repeated. He also received promises of several sums which were made solely on account of the devotion of the givers. The archbishop did not ordinarily collect the money himself, but notified the rural dean that the penitent had undertaken to pay his fine to the collector of the tenth.³

Though Gregory ordered redemptions to be given only to those who

¹ Lunt, 'Papal Tenth,' *E.H.R.*, xxxii, 68-71; *Northern Regs.*, p. 46.

² William of Newburgh, *Cont.*, p. 569.

³ *Reg. of W. Giffard*, pp. 277-86; *Northern Regs.*, pp. 46-58.

might be legitimately hindered from making the crusade, the cross was taken by some for the purpose of obtaining indulgence by redemption. In 1291, when an inquiry was instituted concerning outstanding debts for the Holy Land contracted since 1274, one item of information demanded was the intention with which each had taken the cross. Those who had intended to go on the general passage were to be required to promise to take part in the next crusade, but those whose purpose in taking the vow had been to redeem it were to be required to give what they intended to give, after they had been reminded that the indulgence received would be in proportion to the gift.¹ Apparently the papal decree with regard to redemptions was deemed to apply only to crusaders who took their vows with the intention of fulfilling them, but perhaps only those who were not able to fight were permitted to take vows with the intention of redeeming them.

The active campaign for funds probably did not outlast the sexennial period for which the concurrent tenth ran, but financial obligations established in that period remained at its expiration to be enforced, and new legacies and gifts might continue to be made. On 7 March 1282 Martin IV appointed Geoffrey of Vezzano to collect whatever was owed to the Holy Land from vows, promises, redemptions, deposits, testaments or any other source except the tenth.² He also instructed the collector to supply further information with regard to the English custom of inserting in contracts a pecuniary penalty to be forfeited to the Roman church or the Holy Land for breach of the contract. The pope wished to know if loss was being incurred, because none had been commissioned by the apostolic see to collect such penalties.³ Though Geoffrey's reply is unknown, the form of contract may be illustrated. On 1 June 1293 the abbot and convent of Glastonbury acknowledged their indebtedness to a firm of merchants from Lucca for £1750. They agreed to pay the sum at London in five instalments. If they should fail, they undertook to pay 200 marks to the crusade.⁴

Geoffrey sought from each bishop a list of the debtors to the Holy Land,⁵ and this request seems to have caused the institution in each diocese of an inquiry concerning the debts. The questions asked in the

¹ Lincoln Diocesan Registry, Reg. of Sutton, fol. 39.

² *Cal. Pap. Regs. Letters*, I, 476; Potthast, *Reg.*, 21862; Muniments of Dean and Chapter of Canterbury, *Cartae Antiquae*, M 343; Worcester Diocesan Registry, Reg. of Giffard, fol. 145.

³ *Cal. Pap. Regs. Letters*, I, 475.

⁴ British Museum, Arundel MS 2, fol. 86. For other examples see *Chart. de Novo Monasterio*, I, 162; *English Reg. of Godstow*, II, 416; Lunt, *Papal Revenues*, I, 271.

⁵ The request was dated 4 August 1282. Geoffrey sent copies of his commission to the bishops on 9 July: Worcester Diocesan Registry, Reg. of Giffard, fols. 145, 145^v.

diocese of Hereford, where the inquiry was held in 1283, were of the same type as those which Rostand's deputies had put to the rural deans. They indicate that the administrative methods were still the same as they had been in 1255. Information was desired concerning deposits and deliveries of money given or bequeathed to the Holy Land. The names of those who had pledged themselves to go to the Holy Land and had not gone were to be ascertained, and, if any of them had died, it was to be learned if they had made wills, and, if so, who were the executors and what disposition had been made of the property. The names of those who had received money from the crusading funds were to be obtained, and, if any of them had died, the names of their executors and of the receivers of their goods. The debtors to the Holy Land were to be listed together with any sums they had paid previously and the receivers thereof. If any of them had died, their executors and the receivers of their goods were to be noted. Testaments were to be examined for bequests to the Holy Land. If any were found, the money was to be located. If crusaders or debtors to the Holy Land had died intestate, satisfaction from their goods was to be demanded; if they had died testate without leaving bequests for the redemption of their vows or the payment of their debts to the Holy Land, satisfaction was to be exacted from the indistinct legacies in their wills. From those who were under ecclesiastical censures for failure to pay what they owed, satisfaction was to be demanded, and if it should be given, absolution and dispensation were to be granted.¹ The collector recovered some of the debts brought to light by these inquiries,² for in 1286 and 1287 he reported to the pope the receipt of £2529 8s. 7½d. of new money and £26 2s. of old money, which he had deposited partly with monastic communities and partly with Italian merchants.³

Concerning the ultimate disposal of the funds derived from obventions for the Holy Land Gregory X appears to have made no arrangement other than to promise to participants in the crusade the obventions collected on their own lands.⁴ He ordered the money to be kept in deposit, and Martin IV repeated the order.⁵ The distribution of the funds to crusaders at the discretion of the collectors was abandoned.⁶ Eventually Edward I asked to have the obventions as well as the tenth granted

¹ *Reg. of Swinfield*, p. 78.

² The archdeacon of Bury St Edmunds acted in this period as Geoffrey's vicegerant: Lunt, *Papal Revenues*, II, 517.

³ Lunt, 'Papal Tenth,' *E.H.R.*, xxxii, 57.

⁴ *Cal. Pap. Regs. Letters*, I, 551, 552.

⁵ Above, p. 449; *Cal. Pap. Regs. Letters*, I, 476.

⁶ The inquiry with regard to such assignments in 1283 probably related to those made before 1274.

to him, and on 26 May 1284 Martin IV consented with the qualification that he must take the cross before the next Christmas.¹ This grant remained ineffective, but in the subsequent negotiations, whenever the king petitioned for the tenth he also asked for the obventions.² Finally, on 29 March 1291, Nicholas IV conceded the obventions for the Holy Land which had become due since 1274 or should become due before 24 June 1291, when a new levy of obventions was to begin. He excepted any grants made from them by the apostolic see, including the obventions collected within the lands of those who should go on the crusade.³ On the same day he commissioned the bishops of Winchester and Lincoln to collect these arrears and to deliver them to the king on 24 June 1292.⁴

14. THE NEW CRUSADE ORDAINED BY NICHOLAS IV, AND THE SUBSEQUENT COLLECTION OF THE OBVENTIONS AND LEGACIES FOR BOTH CRUSADES

In addition to the arrears, Nicholas IV also granted to the king the obventions and legacies which should arise after 24 June 1291. In order to stimulate their production, he offered the customary indulgences and ordered the archbishops, the bishops, the provincial heads of the Franciscans and Dominicans, and fifty friars of each order to preach the cross.⁵ He also directed the archbishops to hold a provincial synod for discussion of measures to be taken for the recovery of the Holy Land.⁶

The bishops of Winchester and Lincoln, who were appointed collectors of the new obventions and legacies as well as the old, consulted their predecessor, Geoffrey of Vezzano, with regard to their procedure. On 24 October 1291 they sent to each bishop a copy of the commission is-

¹ *Cal. Pap. Regs. Letters*, I, 474; Rymer, *Foedera*, I, 642.

² Above, pp. 337-40.

³ *Cal. Pap. Regs. Letters*, I, 551-53; Rymer, *Foedera*, I, 752.

⁴ Cotton, *Historia*, p. 187.

⁵ 29 March 1291: *Cal. Pap. Regs. Letters*, I, 553; *Regs. de Nicolas IV*, 6684-92; Cotton, *Historia*, p. 433. According to Cotton, the archbishop of Canterbury had already begun to enlist men for the cross in 1290: *Historia*, pp. 177, 178. The archbishop of York arranged for the preaching in his province on 4 September 1291: *Northern Regs.*, pp. 93-96.

⁶ 14 August and 23 September 1291: Cotton, *Historia*, pp. 199-203; *Northern Regs.*, p. 96. The convocation of Canterbury met on 13 February 1292, but it displayed little enthusiasm for the crusade: *Ann. de Wigornia*, p. 507; Cotton, *Historia*, pp. 206-10; *Ann. de Dunstaplia*, pp. 366, 367; Muniments of Dean and Chapter of Durham, Locellus III, 40, m. 2; Misc. Charter 3699. Nicholas IV also intervened in two individual cases. He granted to the bishop of Bath and Wells with some exceptions the annates of benefices and dignities becoming vacant within his diocese during three years for the crusading expenses of himself and a group of soldiers, and he ordered the bishop of Norwich to absolve a woman who was seriously ill from her crusader's vow in return for crusaders and arms provided at her expense: *Cal. Pap. Regs. Letters*, I, 528. Earlier in the century papal commutations of vows had not been uncommon, but this is the first recorded in the papal registers for many years.

sued to Geoffrey in 1282 by Martin IV accompanied by a list of detailed inquiries which were to be made in each diocese. All the inquiries made at Geoffrey's order in 1283 were to be repeated, and some additional information was to be obtained. If any of the receivers of obventions had died, they wished to know their executors and the location of their goods. They also wanted to learn of any who wished to transmit or assign money in aid of the Holy Land. Those who had received money to go to the Holy Land and had not gone were to deposit the money at New Temple or with a firm of merchants. If they should go later, they would receive the money, but if they should not go, the money would be at the disposition of the Roman church for the aid of the Holy Land. Legacies made to specific persons for a journey to the Holy Land were to be deposited in the same manner. If the legatee should make the expedition, the money would be his, but otherwise it would be placed at the disposal of the Roman church. If any creditor should assign part of a debt to the Holy Land, only the portion assigned was to be exacted.¹ They also appointed local deputies to collect and keep the obventions and legacies made both before and after 24 June 1291.²

The deputies established what was already due by executing the articles of inquiry which the collectors had forwarded to the bishops,³ and after they had ascertained who the debtors were, they cited them to pay their debts on specified dates under penalty of ecclesiastical censures for failure.⁴ They received a small compensation from the funds which they assembled.⁵ Once each year they were summoned to account to the collectors.⁶ By 1301 they appear to have finished the work of collection, though they were still required to render their final accounts to the collectors,⁷ who had been changed meanwhile. On 10 June 1296 Geoffrey

¹ Lincoln Diocesan Registry, Reg. of Sutton, fols. 39, 39^v; Muniments of Dean and Chapter of Canterbury, Reg. I, fol. 167^v.

² The prior of Worcester and Master Hugo Tankard acted in the dioceses of Worcester and Lichfield, and Master William le Archer was associated with them for a time: Worcester Diocesan Registry, Reg. of Giffard, fol. 369; *Ann. de Wigornia*, p. 507; *Worcester Sede Vacante Reg.*, p. 7. J. de Monyngeliam was local executor in the dioceses of Canterbury, Rochester and Chichester: Muniments of Dean and Chapter of Canterbury, Sede Vacante Book, III, fol. 173.

³ Hugo Tankard held such an inquiry in the diocese of Worcester on 6 September 1293, and Master Robert Bernard in the diocese of Lincoln about Lent, 1294: *Reg. of le Romeyn*, II, 73; Chron. of Hagheby, Cotton MS. Vesp. B XI, fols. 35, 35^v.

⁴ Muniments of Dean and Chapter of Canterbury, Sede Vacante Book, III, fol. 173; of Lincoln, A. I.14, fol. 117, no. 11.

⁵ In 1301 Hugo Tankard was allowed £4 17s. 5d.: Muniments of Dean and Chapter of Worcester, Liber Albus, fol. 2^v.

⁶ Worcester Diocesan Registry, Reg. of Giffard, fols. 369, 372^v.

⁷ *Worcester Sede Vacante Reg.*, p. 7; Muniments of Dean and Chapter of Worcester, Liber Albus, fol. 2^v.

appears to have superseded the bishop of Lincoln,¹ and on 16 March 1300 the abbot of Waltham and the dean of St Paul's were substituted for him and the bishop of Winchester.² The abbot and the dean attempted unsuccessfully to wind up the business, and thereafter it was committed regularly to the general papal collectors.

The first general collector to receive this commission was Gerard of Pecorara, who was appointed on 16 February 1304. The list of the obventions supplied to him included specifically for the first time the penalties for the Holy Land imposed for breach of contracts,³ which Geoffrey of Vezzano had brought to the attention of the papacy over twenty years before. Gerard was also given the right ordinarily reserved to the apostolic see, to absolve from the sentence of excommunication those who had incurred it by laying violent hands upon clerks, unless the offense had been exceptionally atrocious. Whoever received such absolution was required to take the cross, to pay for the Holy Land a sum prescribed by the collector, and to provide the injured clerk with sufficient reparation.⁴ Though this power had sometimes been conferred upon English bishops as a means of raising money for the crusades, the financial aspect of Gerard's grant was unimportant. Its primary purpose was to help win popularity for the collector with the English. Gerard could have had little opportunity to exercise the authority, and it did not set a precedent.⁵ With the collection of the obventions and legacies Gerard had made no progress when his career as collector was abruptly terminated.⁶

William Testa, who became collector on 23 March 1306, cited the bishops on 27 May to send to him the names of those who owed money to the Holy Land and of those who had acted as local collectors of obventions and legacies. A few months later he summoned the bishops to account to him for any money collected by them or their agents for the same purpose, unless they had accounted for it previously.⁷ In some dioceses a detailed investigation was held for the purpose of supplying the information demanded by the collector. In Worcester, the prior of Worcester and Master Thomas de Weston, who acted as Testa's deputies, ordered

¹ Geoffrey's commission mentioned only the tenth, but he probably collected the obventions as well: *Cal. Pap. Regs. Letters*, I, 565.

² *Regs. de Boniface VIII*, 3539, 3542.

³ *Regs. de Benoît XI*, 1213.

⁴ *Ibid.*, 1215.

⁵ Leonard of Messina had received a similar privilege limited to fifty applicants and without any requirement of pecuniary penance beyond reparation: *Regs. d'Urban IV*, I, 136, 139. No such privilege granted to Gerard's successors before 1327 is recorded in the papal registers.

⁶ Lunt, 'Account,' *E.H.R.*, xxviii, 320.

⁷ *Reg. of Gandavo*, I, 199-208, 227-29.

each rural dean to assemble the rectors, vicars, parochial chaplains and four laymen from each parish and obtain from them evidence concerning indistinct legacies, pecuniary penalties in contracts, money promised or bequeathed to the Holy Land, redemption of vows, and the names of the debtors and of any crusaders who had died testate or intestate.¹ These vigorous measures were so far successful that by 1311 Testa obtained for the pope £773 1s. 4d.² Thereafter the association of the bishop of Worcester with Testa in the collection of obventions and legacies went into effect, but during the next year the receipts, which were to be divided between pope and king, fell to £16 8s. 8d.³

William de Balaeto, who succeeded Testa in 1313, was also active in the attempt to collect debts owed to the Holy Land, but in the few instances of which record has been preserved⁴ he met with scant success. In 1311 the executors of William de Marchia, who had been bishop of Bath and Wells from 1293 to 1302, deposited with the dean and chapter of Wells for safe custody until the next general passage to the Holy Land 100 marks which the bishop had bequeathed to the crusade. The collector demanded delivery of the money to him, but when he discovered that it had been bequeathed to pay the expenses of the bishop's brother or, in case of his decease, of the bishop's nephew, he revoked his demand. A second attempt to obtain the money in 1317 was fruitless. Since no crusade took place, the dean and chapter still held the money in 1340, when they were defying another papal collector who was seeking to exact it.⁵ When William sought to obtain by sequestration from Richard Kellaw, bishop of Durham, a sum left to the Holy Land by the bishop's predecessor, Anthony Bek, the king, asserting a preferred claim on the goods of the deceased bishop, ordered him to lift his sequestration.⁶ The attempt to collect this bequest, which amounted to 1,000 marks, was renewed by Rigaud d'Assier. When he, too, was met by a royal prohibition, he petitioned the king and council for a remedy. After an examination of the case by the council and a review of it in parliament, the king, on 8 June 1319, ordered the officials of the exchequer to allow Rigaud to levy the money.⁷ Since he secured from legacies for the Holy Land

¹ Muniments of Dean and Chapter of Worcester, Liber Albus, fol. 26^v.

² Lunt, 'William Testa,' *E.H.R.*, xli, 353, 354; below, p. 683.

³ *Cal. Pap. Regs. Letters*, II, 64; Lunt, 'William Testa,' *E.H.R.*, xli, 354, 356.

⁴ His reports to the camera are lacking.

⁵ H.M.C., *Cal. of MSS. of Dean and Chapter of Wells*, I, 155, 199, 200, 247, 248; *Reg. of Drokensford*, p. 129.

⁶ *C.C.R. 1313-18*, p. 474; *Northern Regs.*, pp. 263, 264.

⁷ *C.C.R. 1313-18*, pp. 572, 573; *1318-23*, pp. 37, 81; *Cal. Pap. Regs. Letters*, II, 132; Rymer, *Foedera*, II, 398; *Exch. K.R. Accounts*, 371/8, m. 91 A.

the large sum of £336 8s. 9¾d.,¹ it may be deemed probable that he collected a portion of the bequest.

Hugh of Angoulême, who followed Rigaud in 1323, was authorized to collect obventions and legacies,² but by that time few but hopeless debts could have remained outstanding. Gerard of Pecorara and his successors to 1327 were occupied principally with the collection of arrears. Clement V authorized the grant of new indulgences between 1308 and 1313, but the resultant gifts were collected by the English bishops and paid directly to the Hospitallers without the intervention of the general collector. No other new indulgences for the crusades were offered in England throughout the period, and no crusade was preached, even though Edward II took the cross.³ Without these stimuli, redemptions of new vows and gifts probably yielded little revenue. Pecuniary penalties for the Holy Land established in contracts could never have produced any significant sum. They became due only if contracts were broken, and they were not features of all contracts. Legacies continued to be made occasionally after 1304,⁴ and it is probably significant of the stage which the collection had reached that Rigaud reported receipts only from that source.⁵ In 1326 Hugh was ordered to hold a general inquiry and accounting of the collectors and depositaries of the obventions for the Holy Land,⁶ but the amount of money which he recovered appears to have been negligible.⁷

The major portion of the sum yielded by the legacies and obventions given or promised for the Holy Land during the reign of Edward I found its way into the papal camera. Though the money was granted to Edward I by Nicholas IV in 1291, the concession was dependent upon conditions which the king never fulfilled. The payment of 100,000 marks which he probably received in 1291 was derived solely from the tenth,⁸ and no record of the delivery to the king of the receipts from obventions and legacies which the bishops of Lincoln and Winchester were ordered to

¹ Introitus et Exitus 15, fol. 46v.

² *Cal. Pap. Regs. Letters*, II, 451, 474.

³ Edward II took some pains to let John XXII know that he had taken the cross, and John XXII talked of a crusade in 1317, but did nothing definite to promote it: *Cal. Pap. Regs. Letters*, II, 130, 138, 416, 423, 427; Rymer, *Foedera*, II, 309; *Northern Regs.*, p. 272.

⁴ *Northern Registers*, p. 263; *Reg. of Reynolds*, p. 25; H.M.C., *Cal. of MSS. of Dean and Chapter of Wells*, II, 587.

⁵ Introitus et Exitus 15, fol. 46v.

⁶ 7 March: *Cal. Pap. Regs. Letters*, II, 474.

⁷ A cameral acquittance dated 6 March 1327 acknowledged receipt from him of £211 18s. 7½d. from several revenues, of which legacies for the Holy Land constituted only one: *Cal. Pap. Regs. Letters*, II, 485.

⁸ Above, pp. 340–42.

make on 24 June 1292 has been discovered. In 1294, when royal agents seized the proceeds of the tenth, they also took from the bishop of Winchester and several monasteries and clerks the money from obventions and legacies which was in their possession. The king issued to each a letter acknowledging receipt of the sum and promising to hold him indemnified against all claims for the money which might be presented by others.¹ The confiscation yielded the king £1260 2s. 7½d.² When Boniface VIII conceded to Edward the money of the tenth which he had seized in 1294, the obventions and legacies were not mentioned,³ but no record of their return has come to light. In 1309, when the bishop of Worcester was associated with William Testa to collect the arrears of the tenth and to divide them equally between king and pope, the legacies and obventions were included in the arrangement.⁴ The plan did not actually become operative until 1311,⁵ and it ended with the pontificate of Clement V. If the sum which the collectors secured for division in 1312 was typical,⁶ the king derived from it only a trifling sum. Meanwhile a large part of the money had been delivered either to the papacy or to cameral merchants. Geoffrey of Vezzano, while he was collector of the obventions, deposited substantial sums with the merchants,⁷ and they had delivered at least 1514 marks to the papacy at that time.⁸ Early in 1292 a large part of the proceeds were still in the hands of English debtors, collectors or depositaries,⁹ but the bishops of Lincoln and Winchester ordered some deposits to be made with Italian merchants or at the New Temple,¹⁰ and in 1300 Boniface VIII directed the new collectors to deliver all their receipts to the Spini of Florence.¹¹ The general collectors who were charged with the collection of these obventions after 1304 included their receipts from this source in their accounts of the sums for which they were responsible to the papal camera, and, excepting the period from 1311 to 1314 when half the proceeds went to the king, the papacy doubtless received all of them.

¹ The letters were of the same type as those given to the depositaries and collectors from whom the tenth was seized: above, p. 363.

² Exch. of Receipt, Misc. Roll 32, m. 2.

³ Above, p. 364. Cf. Gottlob, *Kreuzzugs-Steuern*, p. 159.

⁴ *Cal. Pap. Regs. Letters*, II, 64; K.R. Memo. Roll, 4 Edward II, m. 7.

⁵ Lunt, 'William Testa,' *E.H.R.*, xli, 354, 356.

⁶ Above, p. 455.

⁷ Above, p. 451.

⁸ *Cal. Pap. Regs. Letters*, I, 478.

⁹ Cotton, *Historia*, p. 209.

¹⁰ Above, p. 453.

¹¹ *Regs. de Boniface VIII*, 3539; *Cal. Pap. Regs. Letters*, I, 587.

15. THE CAMPAIGN FOR FUNDS INSTITUTED BY CLEMENT V

While these arrears were being assembled, Clement V instituted a new drive for funds for the Holy Land. In 1308 the Christians in the kingdoms of Cyprus and Armenia were hard pressed by the infidels. The king of France was talking favorably of a crusade, but he did not plan to start immediately. In order to help the Christians while Philip IV was making his preparations, the pope arranged for the Hospitallers to undertake an expedition which was to depart in the spring of 1309 and remain to aid the kings of Cyprus and Armenia for five years. On 11 August 1308 he proclaimed a grant of indulgences to those who should contribute alms to help finance the expedition during the next five years. Men not able to fight and women not intending to cross at the next general passage who should give to the Hospitallers what they would have spent if they had gone to the Holy Land would receive full pardon of their sins, provided that they were contrite and orally confessed. Those making smaller contributions could obtain amounts of pardon proportionate to their gifts, the ultimate ratio defined in the proclamation being one year of pardon for one penny of Tours. Those who bequeathed or gave to the Hospitallers horses, arms or other commodities useful for the expedition would be entitled to become sharers of these spiritual benefits. The local administration of the indulgences was committed to the archbishops and bishops. They were to instruct confessors and preachers to urge those confessing to them or listening to their sermons to give alms for the purpose. They were also to have established in each church a chest with three locks for the receipt of the gifts. At regular intervals the contents of the chests were to be transferred to them, and they were to deliver their receipts to proctors of the Hospitallers, notifying the papal camerarius of the amounts.¹

These indulgences were regarded by contemporaries as much more liberal than the ordinary crusading indulgences. An English chronicler spoke of the bull as containing a 'great pardon,'² and an Irish chronicler characterized the privileges granted as so great as had never before been heard of.³ In what the comparative greatness of the pardon consisted is not entirely plain. Possibly the greatness was in the smallness of the amount which had to be paid for a plenary indulgence. Though it had long been possible for a non-combatant to take the cross and win a plenary indulgence by redeeming his vow for a satisfactory amount, which was usually what it would have cost the commuter to go on the crusade,⁴

¹ *Reg. of Gandavo*, I, 303-11; *Reg. Clementis V*, 2988, 2989; Cotton Charter, v, 12.

² *Ann. Londonienses*, p. 156.

³ *Charts. of St Mary's, Dublin*, II, 293.

⁴ Above, pp. 429, 430, 437.

the only surviving definition of the amount necessary to obtain a plenary pardon without taking the cross put it at one quarter of the penitent's income.¹ Possibly the key to the popular conception of the greatness of the indulgences is supplied by the annalist of St Paul's, who called them 'indulgentias culparum et poenarum' such as had not been known 'a seculo.'² For this opinion the bull appears to provide no justification. The pardon offered was, to be sure, 'plenam veniam peccatorum' and not merely relaxation 'de iniunctis penitentiis,'³ but nearly all of the bulls on the same subject issued since the time of Innocent III had used this phrase. Clement's bull, moreover, required the recipients to be 'corde contriti et ore confessi,' just as all similar bulls of preceding popes had done for more than a century.

In addition to the offer of indulgences in return for gifts, Clement authorized the bishops to make several commutations. They could dispense clerks who had taken part in divine services while under sentence of excommunication for their irregularity, provided the clerk desiring the boon would pay what it would have cost him to go to the papal court to obtain it.⁴ They could also commute vows of abstinence and of pilgrimage to places other than the Holy Land to pecuniary aid for the Holy Land, setting the price of redemption of vows of abstinence according to their own judgment and charging for absolution from vows of pilgrimage what the commuter would have spent in making the pilgrimage. The proceeds were to be delivered and accounted for in the same manner as those derived from the chests.⁵

The bishops began to give orders for the institution of the chests in the spring of 1309, and they received the first instalments of the money deposited in them during the course of the same year.⁶ The archbishop of York received from the chests in his diocese during the first two years £491 14s. 5½d. After he delivered it to the Hospitallers, they spent £178 3s. 4½d. for the cost of the chests and the expenses of the administrators. The receipts from the commutation of vows during the same period were £25 14s. 8d.⁷ In the diocese of Exeter the whole sum received by the Hospitallers for the five years was £91 16s. 8d.,⁸ and in the diocese of Salisbury the total yield for the quinquennial period was £377

¹ Above, p. 440.

² *Ann. Paulini*, p. 266.

³ The bull did offer to preachers of the indulgences the relaxation of one year of enjoined penance for each year they preached, but for gifts it offered pardon of sins.

⁴ A clause of the same bull.

⁵ 11 August 1308: *Reg. of Gandavo*, I, 311, 312; *Reg. of Halton*, I, 317.

⁶ *Reg. of Gandavo*, I, 312, 313; *Reg. of Baldock*, pp. 109, 110, 168.

⁷ *Northern Regs.*, pp. 200, 201.

⁸ Muniments of Dean and Chapter of Exeter, 2165.

16s. 9¾d., 174 pennies of various kinds of Tours, and 8 silver rings.¹ The Hospitallers appear generally to have received the money promptly, but in 1318 the prior of the Hospital was being assisted in the diocese of Canterbury by the papal collector, Rigaud, in the recovery of some offerings which were said not to have been delivered.² The complaint of the monk of Malmesbury that the money did not benefit the Holy Land may or may not have been justified, but his implication that Clement V gained what the Holy Land lost³ was without warrant. There can be no doubt that the Hospitallers received the money.

Almost continuously from the closing years of the twelfth century to the early years of the fourteenth papal indulgences could be obtained by penitent and confessed Englishmen who would contribute legacies or gifts to the aid of the Holy Land. At first plenary indulgences appear to have been difficult to secure in return for monetary payments, but the distinction made by Innocent III in 1200 between those who were able to fight and those who were not opened the way for redemptions of vows to be conceded more liberally. Probably by the pontificate of Gregory IX, possibly before, and certainly not long after, those who had no intention of taking part in a crusade could take the cross and by redeeming their vows with payments satisfactory in amount acquire plenary pardons, and at times, if not always, they could, if they preferred, win the same boon by making sufficiently large gifts without taking the cross. The popes who granted these indulgences in behalf of the crusades received only a small part of the many thousands of pounds which they must have produced. Alexander IV and his two immediate successors secured for the Sicilian affair a large part of the donations given and promised between 1250 and 1263 and some of those made and pledged between 1242 and 1250. The papacy also received much of the money derived from the crusading indulgences conceded during the reign of Edward I. The remainder of the proceeds went directly to crusaders or to the Holy Land, except a small amount which Henry III may have been able to retain, the sum seized by Edward I, and a few pounds which Edward II obtained between 1311 and 1314.

¹ *Reg. of Gandavo*, I, 544.

² Cambridge University Library, MS. E e v 31, fols. 191, 191v. See also *Reg. of Drogheda*, pp. 67, 74.

³ *Vita Edwardi Secundi*, pp. 197, 198. A French chronicler made similar accusations with regard to the money raised by indulgences in France: Bouquet, *Recueil*, xxi, 150.

CHAPTER IX

BENEFICE AND ASSOCIATED TAXES

1. COMMON AND PETTY SERVICES

DURING the thirteenth century the papacy developed a new source of revenue in the service taxes. In the time of Clement V, when their evolution was sufficiently complete to reveal their characteristics, they were sums paid by patriarchs, archbishops, bishops, abbots and some conventual priors on the occasion of their appointment or confirmation by the pope.¹ John XXII ruled in 1324 that the tax should be exacted from conventual priories only if they were exempt,² and it was already a custom in his pontificate that a prelate whose annual income was estimated at less than 100 florins should be exempt from the services.³ The tax consisted of the common services, which were shared by pope and cardinals, and the petty services, which were divided among the officials and servants of the pope and of the college of cardinals. The services grew out of gifts which those confirmed by the pope were accustomed from an early time to render to him and the clerks taking part in the ceremony. The problem of their origin resolves itself into the determination of the time when the gratuity, which in theory was voluntary and regulated in amount by the will of the giver, changed to a fee which was compulsory and fixed in amount by rules established by the papacy. The development probably took place in the second half of the thirteenth century,⁴ but the possibility that it may have begun earlier is strong enough to warrant consideration of contemporary allusions to payments associated with papal confirmations of English prelates during the first half of the thirteenth century.

Shortly after the fourth council of the Lateran, where it was decreed that prelates under the immediate jurisdiction of the pope should obtain papal confirmation of their elections, the prior of Evesham entered in his chronicle advice for subsequent abbots elect. He pointed out that if they should fail to seek papal confirmation, they would lose the newly won privilege of holding immediately from the pope. They would, to be sure, save some expenses, but the benefits gained from the privilege would be worth more than the cost both of triennial visitations at the papal court

¹ Lunt, *Papal Revenues*, II, 246.

² Kirsch, *Finanzverwaltung*, p. 18.

³ Lunt, *Papal Revenues*, II, 267, 268.

⁴ *Ibid.*, I, 82, 83.

and of papal confirmation of their elections.¹ The prior, who was well acquainted with the Roman court, believed that papal confirmations could not be had for nothing, but he did not say whether the payments were compulsory taxes assessed by the pope or gratuities rendered binding only by custom. At the same council Walter de Gray received confirmation of his election to the archbishopric of York.² When he returned to England, if Roger of Wendover is to be believed, he was bound at the papal court in the sum of £10,000. In view of the much smaller amounts which archbishops of York borrowed to meet their expenses at the Roman court after their common service had become fixed at 2,000 marks or 10,000 florins,³ Roger's figure appears to be an exaggeration. If it is a safe assumption that the archbishop paid an exceptionally large sum in connection with his confirmation, the possibility that papal compulsion affected the size of the payment naturally comes to mind. Even if the inference were correct, it would not prove that the services had become a regular tax, for at the same council papal officials used pressure to increase the amount of a theoretically voluntary gift offered by the abbot of St Albans.⁴ In describing the election of Ralph Neville to the archbishopric of Canterbury in 1231, Matthew Paris used 'service' in what may have been the technical sense. He reported that after the election Ralph would not give to the monks who were going to Rome to seek confirmation of the election money 'for the expenses of the journey and the service of the Roman court.'⁵ Unfortunately the usage of the word is not conclusive, since it was still employed at the papal court to designate gratuities.⁶ In 1235 an abbot of St Albans sent two monks to obtain papal confirmation of his election. The annalist of the house related that they placed money at the feet of the pope in order to obtain the desired favor more promptly, implying that the expenditure was in the nature of a voluntary gift.⁷ In 1243 a proctor who was seeking papal confirmation of the election of Boniface of Savoy to the archbishopric of Canterbury was authorized by the pope to borrow 540 marks.⁸ The sum was far less than the common service of the archbishopric when it had been assessed later in the century, and ten years earlier the expenses for the election to the archbishopric of John le Blund, who did not pay services because his elec-

¹ *Chron. de Evesham*, pp. 257-59.

² *Ann. de Waverleia*, p. 287; Wendover, *Flores*, III, 346.

³ *Cal. Pap. Regs. Letters*, I, 574, 586; *Regs. de Boniface VIII*, 2191, 3484.

⁴ *Gesta Abbatum*, I, 263; above, p. 180.

⁵ *Chron. Maj.*, III, 207.

⁶ Gottlob, *Servitientaxe*, p. 16.

⁷ *Gesta Abbatum*, I, 308.

⁸ *Regs. d'Innocent IV*, 142.

tion was quashed by the pope, were 612 marks.¹ Several other archbishops, bishops and exempt abbots received papal confirmations of their elections or obtained their offices by papal provision between 1215 and 1245,² but evidence with regard to payments which they may have made in association therewith is not forthcoming. The English records, which are the most bountiful available, leave the impression that the services had not been established as a systematic charge before 1245, and no evidence which tends to alter the impression has been produced from elsewhere.³

In 1248 an abbot of Bury St Edmunds, who was appointed by Innocent IV, was required to pay 800 marks in return for his provision.⁴ Since the amount was set by the pope and the payment appears to have been compulsory, this may have been an early example of the service tax,⁵ though it was not so designated. It was larger in amount than the charge for the common service of the abbots of Bury which subsequently became the standard,⁶ but several of the early payments of the common service varied from the customary rates established later.⁷ During the pontificate of Alexander IV the archbishop of Tuam, on the occasion of his papal provision to the see, pledged himself to the papal camera for a payment 'nomine servitii,'⁸ and several other prelates obliged themselves for payments, which, though not called by the name, were manifestly for common service.⁹ Under Alexander's successors the common service tax continued to be exacted from some prelates who received papal provision or confirmation.

Further indication that the service tax was new in the second half of the thirteenth century is supplied by the varied nomenclature applied to it by English writers. The chroniclers of St Albans described it variously as 'a visitation,' 'a common visitation,' 'a visitation in the name of

¹ *Cal. Pap. Regs. Letters*, I, 146, 147.

² *Ann. de Wintonia*, p. 86; *Patent Rolls*, 1216-25, pp. 270, 280, 439; 1225-32, pp. 250, 321, 331; *C.P.R.* 1232-47, pp. 27, 166, 270, 385, 425; Luard, *Relations*, p. 22; Wharton, *Anglia Sacra*, p. 439; *Ann. de Dunstaplia*, pp. 104, 116; *Vetus Reg. Sarisberiense*, II, 114-16, 143; *Close Rolls*, 1227-31, p. 427; Potthast, *Reg.*, 9347; *Ann. de Oseneia*, p. 83; *Ann. de Theokesberia*, pp. 133, 134; Prynne, *Records*, II, 558; Matthew Paris, *Chron. Maj.*, IV, 259, 426; *Chron. de Evesham*, p. 279; *Regs. d'Innocent IV*, 113, 334, 475, 1369.

³ Göller, *Einnahmen unter Johann XXII*, pp. 20*-38*; Lunt, *Papal Revenues*, I, 83.

⁴ Matthew Paris, *Chron. Maj.*, v, 40.

⁵ Haller so interprets it: *Papsttum*, p. 39; *Westdeutsche Zeitschrift*, XXII, 347. Göller thinks it probable: *Einnahmen unter Johann XXII*, p. 24*; *Göttingische gelehrte Anzeigen*, CLXVI, 783, n. 3.

⁶ It was 500 marks or 2500 florins: Oblig. I, fol. 17^v; 6, fol. 145^v; 14, fol. 29. In 1313 it was 600 marks: *Reg. Clementis V*, app. I, 249.

⁷ Göller, *Einnahmen unter Johann XXII*, p. 31*.

⁸ *Regs. de Clément IV*, 761.

⁹ *Regs. d'Urbain IV*, I, 31-36; Göller, *Einnahmen unter Johann XXII*, pp. 30*, 31*. See also *Chron. of Melrose*, tr. by Stevenson, p. 210.

a vacancy' and 'census in the name of first fruits.'¹ The use of 'visitation' to designate the tax was common.² The earliest instance of the employment by an English writer of 'service' as a name for the tax, which has come to my attention, was in 1262.³ By the turn of the century that had become the ordinary term, though even then it was not used exclusively.⁴

Though the common service tax may have been instituted by Innocent IV or Alexander IV and was certainly in continuous operation after the pontificate of the latter, much obscurity surrounds the early years of its development. Apparently its levy was long a matter of custom rather than of systematic and comprehensive formulation by papal constitution and decree,⁵ and such a growth is usually difficult to trace. It is doubtful, in the first place, whether all the English archbishops, bishops and abbots who were confirmed or appointed by the pope between 1248 and 1303 paid *servitia*.⁶ The following table displays the situation by pontificates.

<i>Pope</i>	<i>Number of archbishops, bishops and abbots confirmed or appointed by the pope⁷</i>	<i>Number of those who contracted to pay services or contracted large loans when appointed or confirmed⁸</i>	<i>Number of those who paid no services of which record has been discovered</i>
Innocent IV, 1248-54	4 ⁹	1 ¹⁰	3
Alexander IV, 1254-61	8 ¹¹	5 ¹²	3
Urban IV, 1261-64	3 ¹³	3 ¹⁴	0

¹ *Gesta Abbatum*, II, 18, 56, 114, 190. Haller's interpretation of the last phrase to mean that the abbot paid both services and annates seems to me to be unwarranted: *Papsttum*, p. 388, n. 1.

² Florence of Worcester, *Cont.*, p. 186; below, app. p. 677, n. 8.

³ 'Servierat': Gervase of Canterbury, *Cont.*, pp. 218, 219. On the earlier use of 'servitium' see Clergeac, *La Curie*, pp. 7, 8; above, p. 462.

⁴ *Reg. of Newark*, pp. 304, 311, 313; *Northern Regs.*, p. 180; *Priory of Hexham*, I, app. p. xxx; Cotton MS. Faust. B v, fol. 34v.

⁵ During the pontificate of John XXII rulings were being made on the details of the procedure as problems arose, and in 1327 the mode of assessment was said to rest upon ancient custom: Kirsch, *Finanzverwaltung*, pp. 18-20; *Reg. of Grandisson*, I, 323-25.

⁶ The English evidence gives no light on patriarchs and priors.

⁷ I have omitted the abbots of Evesham and Tavistock who paid services in 1317 and 1327 respectively: Oblig. I, fol. 61v; 4, fol. 12v; 6, fols. 3v, 65; 8, fol. 106; 10, fol. 48. They did not pay again during the fourteenth century, and probably had not paid before.

⁸ The contract of a loan as large as or larger than the customary services establishes a high probability but not a certainty that services were paid.

⁹ Potthast, *Reg.*, 14723; *Regs. d'Innocent IV*, 5263; Papal Bulls, 53/7; *C.P.R.* 1247-58, p. 104.

¹⁰ Above, p. 463.

¹¹ *C.P.R.* 1247-58, pp. 471, 475, 538, 612; 1258-66, p. 6; Haddan and Stubbs, *Councils*, I, 482; John of Oxenedes, *Chron.*, p. 216; Widmore, *Westminster*, pp. 70-72; Coombe, *History of Westminster*.

Pope	Number of arch- bishops, bishops and abbots con- firmed or ap- pointed by the pope	Number of those who contracted to pay services or contracted large loans when ap- pointed or con- firmed	Number of those who paid no serv- ices of which rec- ord has been dis- covered
Clement IV, 1265-68	2 ¹	1 ²	1
Gregory X, 1272-76	3 ³	2 ⁴	1
Nicholas III, 1277-80	4 ⁵	2 ⁶	2
Martin IV, 1281-85	3 ⁷	1 ⁸	2
Honorius IV, 1285-87	1 ⁹	0	1
Nicholas IV, 1288-92	3 ¹⁰	2 ¹¹	1
Celestine V, 1294	1 ¹²	1 ¹³	0
Boniface VIII, 1294-1303	10 ¹⁴	10 ¹⁵	0
Total, 1248-1303	42	28	14

ster, i, 163-66. The election of Aymer de Valence was confirmed by Innocent IV, but he had difficulty in obtaining possession of his see, and was finally consecrated by Alexander IV to whom he pledged payment of services: *Regs. d'Innocent IV*, 4991; *Regs. de Clément IV*, 779; *Ann. de Oseneia*, p. 125.

¹² *Regs. d'Urbain IV*, i, 31, 474; ii, 42; *Cart. de Rameseia*, i, 69; Florence of Worcester, *Cont.*, p. 186; Matthew Paris, *Chron. Maj.*, v, 652; *Cal. Pap. Regs. Letters*, i, 364; Widmore, *Westminster*, pp. 70-72; Coombe, *History of Westminster*, i, 166.

¹³ Close Roll, 46 Henry III, m. 3; *Regs. d'Urbain IV*, ii, 404; *C.P.R. 1258-66*, p. 342.

¹⁴ *Gesta Abbatum*, i, 399, 400; *Regs. d'Urbain IV*, i, 165-68, 173; Gervase of Canterbury, *Cont.*, pp. 218, 219; Lunt, *Valuation of Norwich*, p. 524.

¹ Potthast, *Reg.*, 20283; *C.P.R. 1266-72*, p. 19. I have not included Bonaventura, who was provided to York in 1265 and resigned almost immediately: *Regs. de Clément IV*, 171; Wykes, *Chron.*, p. 184.

² *Reg. of W. Giffard*, pp. 117, 118.

³ *Cal. Pap. Regs. Letters*, i, 442, 445; Prynne, *Records*, iii, 122; *C.P.R. 1272-81*, p. 10; *V.C.H. Essex*, ii, 171, n. 12; Papal Bulls, 47/2.

⁴ Gervase of Canterbury, *Cont.*, pp. 273, 274; Lambeth Palace Library, MS. 242, fol. 11^v.

⁵ Potthast, *Reg.*, 21706; Pipe Roll 128, m. 34^v; *Cal. Pap. Regs. Letters*, i, 456, 459, 460; Prynne, *Records*, iii, 225; *Reg. of Wickwane*, pp. 305-7.

⁶ *Reg. of Peckham*, pp. 17-20, 48, 49, 105, 106; John of Oxenedes, *Chron.*, pp. 253, 255; Florence of Worcester, *Cont.*, p. 223; Lambeth Palace Library, MS. 644, no. 46.

⁷ *Cal. Pap. Regs. Letters*, i, 466, 468, 472.

⁸ Muniments of Dean and Chapter of Westminster, nos. 9438, 28812. I am indebted for the latter reference to Professor A. H. Sweet.

⁹ *Cal. Pap. Regs. Letters*, i, 483.

¹⁰ *Ibid.*, i, 504, 531, 532. Thomas Button of Exeter paid services, but I have not found that he was confirmed by the pope, and his successor, John de Grandisson, claimed that he had been confirmed by the archbishop of Canterbury: *Reg. of Grandisson*, i, 324. See also Stubbs, *Reg. Sacrum*, p. 68. The camera seems to have exacted services through error.

¹¹ Oblig. 1 A, fols. 16, 21; *Gesta Abbatum*, ii, 8, 13, 17, 18.

¹² *C.P.R. 1292-1301*, pp. 7, 129; Cotton *Historia*, p. 252.

The lack of any record of payment of common services by fourteen of the forty-two prelates does not mean necessarily that they did not pay them. The first extant *Obligaciones et Solutiones* register in which were recorded contracts to pay services and their payments begins in 1295, and even thereafter the series is not entirely complete. Earlier records of payments have been preserved more or less by chance, and the contrary fortune that records once in existence have now disappeared seems equally good.¹ In view of the doubt whether the payment made by the abbot of Bury in 1248 was the service tax and of the lack of any record of similar payments rendered by prelates of other countries during the pontificate of Innocent IV, it may be deemed probable that the bishop of Bath and Wells and the abbots of St Augustine, Canterbury and Waltham did not pay service taxes when they were confirmed by Innocent IV. Concerning the bishop of St Davids and the two archbishops of York, who were confirmed by Alexander IV, and the bishop of Carlisle, who was confirmed by Nicholas III, it seems impossible to establish a balance of probability weighted in either direction. The remaining seven probably paid services, because their predecessors had previously paid them.² Viewing the evidence chronologically, it seems doubtful whether or not all English archbishops, bishops and abbots who were confirmed or appointed by the papacy during the formative period from the pontificate of Alexander IV to the pontificate of Nicholas III were required to pay common services, from the pontificate of Martin IV to that of Celestine V all probably were,³ and beginning with the pontificate of Boniface VIII the universality of the requirement which we find formulated in the time of Clement V⁴ undoubtedly existed.

¹³ Hook, *Lives of the Archbishops*, III, 379; Cambridge University Library, MS. E e v 31, fols. 50, 77; Muniments of Dean and Chapter of Canterbury, *Cartae Antiquae*, A 190, C 227; Somner, *Antiq. Cant.*, app. to supplement, p. 19.

¹⁴ *Regs. de Boniface VIII*, 1725, 2402, 3075, 3132, 3170, 4671, 4672, 4721, 4793, 4818; *Cal. Pap. Regs. Letters*, I, 569, 583, 586, 601, 602, 604; Prynn, *Records*, III, 769; *Papal Bulls*, 40/2, 3, 6, 8, 10.

¹⁵ *Oblig.* I, fols. 7, 10^v, 12, 13, 17^v, 18^v; I A, fols. 39, 40; *Regs. de Boniface VIII*, 1105, 1188, 1723, 3075, 3167, 4686, 4786, 4819; Kirsch, *Finanzverwaltung*, p. 125; Lunt, *Papal Revenues*, II, 244; *Gesta Abbatum*, II, 56; *Reg. of Newark*, pp. 293, 294, 304, 310-13; *Priory of Hexham*, I, app. pp. xxvii-xxix; *Reg. Clementis V*, app. I, 261.

¹ Of two bishops who paid services one might enter a document concerning it in his register and another might not. In some instances the only record of payment is preserved in a single, loose document, and the number of such documents which have perished must be very large.

² They were the archbishops of York appointed or confirmed by Nicholas III and Honorius IV, the bishops of Winchester who received provision from Clement IV and Martin IV, abbots of Waltham confirmed by Gregory X and Nicholas IV, and an abbot of St Augustine appointed by Martin IV. For the payments rendered by their predecessors see below, app. pp. 677, 678.

³ This disregards an abbot of Evesham confirmed in 1283, because abbots of Evesham were for some reason normally exempt from the service tax: above, p. 464, n. 7.

⁴ Above, p. 461.

The rate of the taxation presents another problem. In the time of John XXII the common service was set at one-third of the estimated value of the payer's gross annual income. In 1327 this was said to have been ancient custom,¹ but the antiquity of the custom is unknown. The amounts charged the abbot of Westminster and the bishop of Winchester were not the same in the pontificates of Alexander IV and John XXII. Winchester was assessed 2100 marks in the earlier period and 2400 in the later, and Westminster was assessed 600 marks in the earlier period and 400 in the later.² Unfortunately these are the only two amounts paid by English prelates which can be established before the pontificate of Nicholas IV,³ but the sums paid by prelates of other countries during the pontificates of Alexander IV and Urban IV frequently differed from the sums paid by their successors in the fourteenth century.⁴ These changes may indicate either that a third of the assessed income had not been the rule from the beginning, or that the charge for common services varied as the value of the income rose or fell.

Whatever the cause may have been, changes in the amounts of the common services remained common until the pontificate of John XXII, though a tendency to stabilize them became evident by the time of Boniface VIII. The common service of 800 marks required of an abbot of St Albans in the time of Nicholas IV was reduced to 720 marks for his immediate successor under Boniface VIII, and the latter amount remained the standard under Clement V and John XXII. Two different bishops of Ely were charged 1,200 marks during the pontificate of Boniface VIII, but in 1337 the next bishop was assessed 1,500 marks,⁵ and the larger sum was exacted thereafter.⁶ In 1308 a bishop of Worcester satisfied the two camerarii by undertaking to pay 300 marks, which was the same sum that his predecessor had paid under Boniface VIII. His successor in 1313 had to pledge himself for 400 marks, which subsequently became the regular rate. The abbots of Bury had a more exceptional experience. In 1302 the common service was set at 500 marks, in 1313 it was increased to 600 marks, and in 1335 it was restored to 500 marks,⁷ where it

¹ *Reg. of Grandisson*, p. 324.

² Below, app. pp. 677-81.

³ Concerning the payments made by other prelates in this period only the evidence of loans or of the total expenditures exists. The loans were nearly always larger than the common services, and the total expenditures always were, because they included petty services, fees, gratuities and sometimes travelling expenses: below, app. pp. 677, 678.

⁴ Göller, *Einnahmen unter Johann XXII*, p. 31*.

⁵ Oblig. 6, fol. 155v. In the fourteenth century the sums were usually stated in florins which were computed five to the mark in payments of common services.

⁶ Arm. xxxiii, 32, fol. 9; Lunt, *Papal Revenues*, II, 286.

⁷ Oblig. 14, fol. 29.

remained.¹ Like the abbots of St Albans, the archbishops of York, the bishops of St Davids and the abbots of Waltham paid the same sums under Boniface VIII and later popes. All of the amounts charged under Clement V, moreover, remained the same under John XXII and his immediate successors, with the one exception of the assessment of Bury.²

The stabilization of the amounts was due to the practice gradually adopted by the cameral officials of determining the common service of a candidate by reference to their records of the obligations and payments of his predecessors. In 1327 John de Grandisson, the newly appointed bishop of Exeter, was required to pledge himself to pay 10,000 florins for his own common service and the same amount for his predecessor, James, who had been appointed by the pope only a few months before. The amount was established by search in the registers of Boniface VIII and Clement V. The bishop protested that a mistake had been made, and after a long process, though the camerarii did not acknowledge their error to the bishop, they entered a statement of it in the register,³ and reduced John's obligation to 5,000 florins for himself alone.⁴ The year before the abbot of St Albans had been pleasantly surprised when brought before the camerarii to give his pledge for the services. They had produced a register which displayed the sum of the common service at 720 marks, whereas the monks who had gone with his predecessors to the papal court had led him to believe that it was much more. His advisers may have had in mind his third predecessor, who had been assessed 800 marks in the time of Nicholas IV, or they may have been misled by an erroneous statement of the expenses of his two immediate predecessors. Each had paid only 720 marks, but an account of the expenses incurred in 1303, which was incorporated in the annals of the abbey, placed the common service at 1,008 marks.⁵ Whether the wrong sum was entered by error or design cannot be determined, but the padding of accounts of expenses by those who did business at the Roman court was not uncommon.⁶ The establishment of the amount of the common services by reference to earlier registers was customary by the pontificate of Clement V,⁷ and it was

¹ Lunt, *Papal Revenues*, II, 286.

² Paragraph based on app. IX, below, pp. 677-81, except as noted otherwise.

³ A copy of the pledge taken by James to pay 10,000 florins is crossed by lines and annotated as follows: 'Attende quod ista obligatio non processit propter errorem magnum et ideo cancellata de mandato dominorum camerariorum, sed infra in III^a folio est vera obligatio que procedet.' The following obligation is one of 5000 florins undertaken by John: Oblig. 10, fols. 44^v, 48.

⁴ *Reg. of Grandisson*, I, 156-58, 160, 323-25.

⁵ *Gesta Abbatum*, II, 56, 190, 191; below, app. p. 679.

⁶ Lunt, *Papal Revenues*, II, 237, 511, 512; above, p. 179.

⁷ König, *Die päpstliche Kammer*, pp. 14, 15.

done sometimes during the pontificate of Boniface VIII.¹ As a consequence of this process, the amounts due for common services, after a period during which they might fluctuate from one time to another, came to be permanently fixed in most instances by the pontificate of John XXII. The fixation, of course, was not absolute. A prospective payer who claimed that his income was not as large as that enjoyed by his predecessors would receive a hearing and might obtain a temporary or a permanent reduction.² The bishop of Carlisle attempted to secure a lower rate of assessment in 1325, because his diocese had been ravaged by the Scots,³ and the bishop of Dunblane was allowed in 1308 to pay 60 marks instead of 160 on account of the desolation which Edward I had wrought in Scotland.⁴

When the amount of the common service had to be assessed for the first time,⁵ the current valuation for the tenth was not accepted by the camera as a basis for computation of the third of the annual income.⁶ In the time of John XXII, it was customary to appoint local commissioners who assessed the value by the inquisition of witnesses and reported their findings to the camera,⁷ but the practice was not yet without exception. When the camerarii discovered their mistake with regard to the amount of the common service due from the bishopric of Exeter previous to 1327, they examined ten witnesses, whom Bishop John had produced to prove that no provision had been made to Exeter by Boniface VIII, on the income of the bishopric. They also questioned several cameral merchants. On the basis of this evidence they appraised the annual income of the bishopric at 3,000 marks, which the bishop, probably with justice, considered excessive.⁸ Light on the earlier practice is lacking, but it may be doubted if the method of careful assessment by local commissioners had been employed from the beginning. If the cameral officials came to an agreement with the payer concerning the amount on the basis of his own evidence with such supplementary information as could be obtained at the Roman court from cameral merchants and fellow countrymen who might chance to be present, it would help to explain the variations in the amounts of the charges in the early period.

¹ Göller, *Einnahmen unter Johann XXII*, pp. 37*, 38*.

² Lunt, *Papal Revenues*, II, 263, 277.

³ Oblig. 6, fol. 47^v.

⁴ *Reg. Clementis V*, app. I, 217.

⁵ Bangor, Chichester, St Asaph, Salisbury and probably Bath and Wells had not yet been assessed in 1327.

⁶ *Reg. of Grandisson*, I, 156, 157.

⁷ Lunt, *Papal Revenues*, II, 263, 266-74; Kirsch, *Finanzverwaltung*, pp. 84, 85.

⁸ *Reg. of Grandisson*, I, 196, 324, 325.

If the cameral officials did not at first rely upon the precedents in their own registers, but made a new assessment of a bishopric in this manner each time that an incumbent had to pay the common service, the sums exacted would naturally vary frequently from one time to another.

When the service tax was new, more was usually demanded of a payer for the papal camera than for the college of cardinals, though the abbot of Westminster contracted in 1258 to pay the same amount to both.¹ After the pontificate of Urban IV, no illustration of the rate of division between the two appears until the pontificate of Nicholas IV. In that instance the division was into equal portions, and thereafter equal shares were the rule.² The practice may have been established in 1289, when Nicholas IV arranged to share certain of the papal revenues equally with the college of cardinals, or it may have originated earlier.³

The prelate who became subject to the tax was required to give a written obligation to pay the prescribed amount at a future date. If the business was transacted by proctors, they had to be commissioned with full and explicit powers to commit their principal to the obligation.⁴ Though no example of the earliest form of this contract has come to my attention, the bond given by Bishop John of Winchester for the common service of his predecessor, Aymer, probably preserves the formula. Aymer died soon after he promised Alexander IV to pay 1,300 marks for the papal service, and John, when he was appointed to the bishopric in 1262 by Urban IV, was required to assume his predecessor's unpaid debt.⁵ In his obligatory letter he promised payment within a year from Michaelmas, 1262, offering his own property and that of the church of Winchester as security.⁶ In that period the prelates appear to have given separate pledges to the papal camera and the college of cardinals. Urban IV sought to obtain payment of services owed to the cardinals since the time of Alexander IV by executory letters which contained no mention of services due to the pope.⁷ The distinction between the two obligations

¹ Below, app. p. 677; Göller, *Einnahmen unter Johann XXII*, p. 31*.

² Below, app. pp. 678-81. Also compare the shares received by the cardinals in the time of Boniface VIII with the total sums paid from the same places under Clement V and John XXII: Kirsch, *Finanzverwaltung*, pp. 97-127; *Reg. Clementis V*, app. 1, 199-257; Göller, *Einnahmen unter Johann XXII*, pp. 652-85.

³ Potthast, *Reg.*, 23010; Raynaldus, *Ann.*, 1289, § 49. Kirsch thinks the common services were included and Göller doubts it: *Finanzverwaltung*, pp. 4, 6; *Einnahmen unter Johann XXII*, pp. 22*, 23*.

⁴ Kirsch, *Finanzverwaltung*, pp. 14, 15, 77. A procuratorial commission issued for this purpose on 9 December 1333 is the earliest English commission which I have found: *Inst. Misc.* 1260. The commission issued by Richard Kellaw, bishop of Durham, in 1311, probably for secret services, contains virtually the same formulae: *Reg. Dunelmense*, 1, 89.

⁵ *Regs. d'Urbain IV*, 1, 31, 68, 75, 160, 474; *Regs. de Clément IV*, 779.

⁶ 14 July 1262: *Regs. d'Urbain IV*, 1, 68.

⁷ *Ibid.*, 1, 31, 32, 35.

comes out still more clearly in the executory processes used to recover the services pledged by Aymer of Winchester. He had pledged 800 marks to the cardinals and 1,300 to the pope.¹ After his death Urban IV demanded the former from his executors and the latter from his successor.²

After the shares of the pope and the college became equal, the debtor undertook only one obligation.³ When the extent of his indebtedness had been determined by the papal camerarius and the camerarius of the college acting jointly, he took an oath to pay the whole amount of the common service in accordance with the terms formulated by the camerarii or by their subordinates in a written obligation.⁴ The requirements placed in the obligation of the fourteenth century were far more onerous than those contained in the simple bond of Bishop John of Winchester. The length of time given to the debtor for render of the money varied from one pontificate to another. Boniface VIII and Clement V ordinarily allowed from several months to more than a year.⁵ John XXII instituted what remained the common practice. He divided the payment into two equal portions, the first to be delivered several months to a year after the date of the obligation and the second at a similar interval after the first.⁶ In the obligation the debtor not only pledged the property of himself and his church for the debt but also placed himself unreservedly under the jurisdiction of the two camerarii if he should fail to pay on time, and agreed to come to the papal court within a specified number of months after such a failure and to dwell there until the debt should have been paid. Breach of the obligation further rendered the debtor subject to greater excommunication, interdict and suspension not only from the pontifical office but also from the administration of spiritualities and temporalities.⁷

The payment of services was often facilitated by an arrangement with a firm of Italian bankers.⁸ The debtor borrowed from the firm, which was usually one of those transacting the cameral business, a sum sufficient to meet the service tax, and the firm agreed to render the instalments to the camera as they fell due.⁹ The loan was contracted with

¹ *Regs. d. Clément IV*, 779.

² *Regs. d'Urban IV*, I, 31, 68, 75, 160, 474.

³ Kirsch, *Finanzverwaltung*, pp. 124-27; *Reg. Clementis V*, app. I, 199-257.

⁴ Lunt, *Papal Revenues*, II, 246, 258-62.

⁵ Kirsch, *Finanzverwaltung*, pp. 124-27; *Reg. Clementis V*, app. I, 199-257.

⁶ Lunt, *Papal Revenues*, II, 259, 262; Wharton, *Anglia Sacra*, I, 361; *Oblig.* 4, 6, 10, *passim*.

⁷ Lunt, *Papal Revenues*, II, 258, 259, 262, 263. The obligation taken by the abbot of St Augustine, Canterbury in 1348 displays the formulae in full without any significant change from those used in the time of John XXII: *ibid.*, II, 274, 275.

⁸ Below, app. pp. 677-81.

⁹ *Regs. d'Urban IV*, II, 42; *Regs. de Clément IV*, 761, 779; *Reg. of Newark*, pp. 294, 304, 310-13.

the license of the pope, and it was guaranteed by the property of the borrower's church as well as his own.¹ The pope, as was customary in such licenses,² appointed specified clerks to carry out the rigorous ecclesiastical penalties and processes which would be directed against the borrower if he should fail to meet the terms of his contract with the merchants.³ The borrower paid to the bankers for the accommodation sums which were equivalent to modern interest in all but name.⁴ If the principal acted through proctors, they had to have from him specific authorization to contract the loan. Occasionally chapters or convents borrowed the money through their proctors, but in such instances the principals appear either to have reimbursed them or to have taken over responsibility to the merchants for the debts.⁵

In the levy of the service tax the papal collectors did not intervene except by specific papal command in a rare case.⁶ The debtors were bound by their contracts to deliver their payments at the Roman court. In the early days of the tax, the papacy found it difficult to enforce payment from tardy debtors.⁷ The services owed by Aymer and John, bishops of Winchester, provide an illustration. Aymer, who contracted in 1260 to pay 800 marks to the cardinals and 1,300 marks to the pope, died with the debt unpaid. The former sum which Urban IV sought from Aymer's executors, first through Albert of Parma, his scribe, and later through the archdeacon of Salisbury,⁸ appears to have been received by the cardinals before 1266.⁹ The latter Bishop John undertook to pay before 29 September 1263, but he failed to keep his promise, and in 1266 Clement IV finally ordered Ottobon to seize it from John's property and deliver it to a firm of cameral merchants. John also failed to repay the merchants

¹ *Regs. d'Urbain IV*, II, 42; *Cal. Pap. Regs. Letters*, I, 364, 376, 386, 574, 582, 586, 602; II, 70, 119, 121, 231; *Reg. Clementis V*, 1073; *Gesta Abbatum*, I, 399; II, 17, 18; *Reg. of Greenfield*, I, 175; Lambeth Palace Library, MS. 644, no. 46.

² Above, pp. 267, 268.

³ *Cal. Pap. Regs. Letters*, I, 386, 583, 586; II, 15, 119; *Cart. de Rameseia*, I, 69; *Reg. of Peckham*, I, 17-20; Worcester Diocesan Registry, *Reg. of Hemenhale*, separate document at beginning of register.

⁴ *Regs. d'Urbain IV*, I, 75; II, 42. The debtor often agreed to pay a larger sum than he received, thus partially concealing the remuneration. This practice caused the loans to be larger than the amount of the services, though it was not the sole cause.

⁵ Lambeth Palace Library, MS. 242, fol. 11v; Cambridge University Library, MS. E e v 31, fols. 50, 77; Muniments of Dean and Chapter of Canterbury, *Cartae Antiquae*, A 190, C 227; Surtees, *History of Durham*, I, p. cxxix, app. no. xiv.

⁶ I have noted only two instances before 1327: *Regs. de Clément IV*, 761; Rymer, *Foedera*, II, 349. In the second the demand also included secret service.

⁷ *Regs. d'Urbain IV*, I, 75, 160, 474.

⁸ *Regs. d'Urbain IV*, I, 31, 474.

⁹ At least, Clement IV, who was seeking the other sum in that year, said nothing of this sum: *Regs. de Clément IV*, 779.

who lent him money to meet his own services. The official of Paris, whom Urban IV appointed to enforce John's bond to the merchants, was unsuccessful. In 1266 the merchants had received only 1,000 marks, and Clement IV directed Ottobon to levy the unpaid balance of 3,000 marks from John's goods.¹ Alexander IV and Urban IV had troubles also with merchants who failed to keep their engagements to pay to the papal camera the services of prelates whose bonds they held.²

Both of these defects in the administration of the services were gradually corrected. The executory process for compulsion of the payment to merchants of the sums borrowed from them by prelates for payment of the services was steadily strengthened.³ The outcry of Archbishop Pecham in 1279 against papal executory letters in behalf of merchants of Lucca who had lent him 4,000 marks at the time of his provision⁴ indicates that the screws of ecclesiastical censure and judicial process were already tight. With such effective help from the papacy the merchants must have had less excuse for failure to meet their obligations to deliver the services of prelates to the camera. At the same time, as the more elaborate formulae of the later letters of obligation demonstrate, more pressure of censure and process was being put upon the prelates themselves. During the pontificates of Clement V and John XXII the greater part of the English prelates who contracted to pay common services delivered the money at the times specified in their obligations.⁵ A few obtained an extension of the time granted to them,⁶ and a few incurred the penalties imposed for unexcused tardiness,⁷ but the delays ranged only from a few months to a year. In the case of Abbot Richard of Westminster, which was the only exception, the delay was due primarily to the secret service which was far larger than the common service involved.⁸ The incident does not vitiate the conclusion that the papacy no longer

¹ *Regs. d'Urbain IV*, I, 75, 160; *Regs. de Clément IV*, 779.

² *Regs. d'Urbain IV*, II, 42; *Regs. de Clément IV*, 761.

³ Compare the formulae of the executory letters of 1253 and 1288: Lunt, *Papal Revenues*, I, 330, 333. On the course of the development see Gottlob, 'Kuriale Prälatenanleihen,' *Vierteljahrschrift für Social-und Wirtschaftsgeschichte*, I, 361-68; Schneider, *Die finanziellen Beziehungen*, pp. 54-59.

⁴ *Reg. of Peckham*, I, 17-20, 106, 107.

⁵ The prescribed dates of payment are stated in the obligations preserved in the *Obligationes et Solutiones* registers, and the dates of the payments are given both in the acquittances entered in the same registers and in the *Introitus et Exitus* registers. In several instances, mainly during the pontificate of Clement V, I did not find complete data.

⁶ *Oblig.* 8, fols. 75, 102^v, 113, 116^v; 10, fols. 47, 48; 12, fol. 48^v; Muniments of Dean and Chapter of Durham, Locellus XVII, 18.

⁷ *Oblig.* 6, fol. 22^v; 8, fols. 92, 92^v, 109; 9, fol. 107; 10, fol. 47; 12, fols. 11, 19^v, 21^v; 13, fol. 5; *Introitus et Exitus* 41, fols. 9^v, 21^v, 106, 107^v; *Reg. Avin.*, John XXII, 47, fols. 392^v, 394^v, 502^v; Muniments of Dean and Chapter of Durham, Misc. Charter 4903.

⁸ Below, pp. 480-82.

met such obstacles to the collection of the common services as it had once encountered in the case of Bishop John of Winchester.

Prelates who owed the common service were also liable for the petty services. They were as old as the pontificate of Alexander IV,¹ but little is known about them before the fourteenth century. Before the time of Boniface VIII they were five in number, during his pontificate they were reduced to two, in 1304 they were restored to five, and there they remained.² Four of the petty services were distributed among the papal officials and servants and one among the officials and servants of the college of cardinals.³ The amount of one petty service was the same as the share received by one cardinal of the half of the common service which belonged to the college. Since the half was divided equally among the cardinals who were present at the court when the obligation was taken, the charge for the petty services varied from one time to another.⁴ The archbishop of York, for example, paid 800 florins in 1307 for the four services due the papal camera⁵ and slightly more than 768 florins for the same four services in 1318.⁶ For the same reason the proportionate relation of the petty to the common services might vary widely. In 1307 the common service of the abbot of Waltham was 2,400 florins and his five petty services amounted to 285 florins;⁷ in 1327 the corresponding figures for the bishop of Worcester were 2,000 florins and 357 florins 2 shillings 1 penny of Tours.⁸ The guarantees for the payment of the petty services were the same as those for the common service, since both were included in the one obligation exacted from the prelate who had to pay them.⁹

The common and petty services did not end the expenditures which an English archbishop, bishop or abbot who received papal confirmation or appointment had to make at the papal court. Fees amounting to several florins were charged by the officials of both camerae for their letters of acquittance,¹⁰ fees running to still larger sums were exacted by the chancery for the necessary bulls,¹¹ large gratuities were expected

¹ Göller, *Einnahmen unter Johann XXII*, pp. 47*, 48*.

² Lunt, *Papal Revenues*, II, 248.

³ The shares received by the several officials and servants in the time of Clement V are set forth in a document edited by Haller in *Q.u.F.*, I, 284-88.

⁴ Lunt, *Papal Revenues*, I, 89.

⁵ *Reg. Clementis V*, app. I, 281.

⁶ Göller, *Einnahmen unter Johann XXII*, pp. 115, 120.

⁷ *Reg. Clementis V*, app. I, 218, 290.

⁸ Lunt, *Papal Revenues*, II, 259, 260.

⁹ *Ibid.*, I, 89.

¹⁰ Lunt, *Papal Revenues*, II, 259, 260.

¹¹ *Ibid.*, II, 245. On the chancery fees see below, pp. 521-23.

by the cardinals who presented the candidate's case in consistory, and gratuities were usually disbursed to many officials and servants of the papal court. An itemized account of the expenses for the confirmation of Abbot John of St Albans in 1303 provides an unique illustration of the precise nature of these extra expenses in the period before 1327.¹ It displays a total expenditure at the papal court in addition to the payments for common and petty services of slightly more than 100 marks.² A comparison of this account with similar accounts of the fifteenth century indicates that many of the fees and gratuities which were current at the later date were already established at the beginning of the fourteenth century,³ but the heavy additional payments known as the *sacra* and the subdeacon, which were exacted in the time of John XXII from abbots blessed and from bishops consecrated at the papal court, and later were taken from all titular abbots and bishops promoted by the pope,⁴ were not yet a part of the picture.⁵ The additional expenses of the abbot of St Albans in 1303 were about fifteen per cent of his common service, while those of the abbot of Westminster in 1463 ran to twenty per cent.⁶ If, however, the newly promoted prelate was consecrated or blessed at the papal court, additional expenses had to be undertaken. Before the pontificate of John XXII they consisted of gratuities which were practically compulsory.⁷ Under John XXII they were changed to the definite fees of the *sacra*, which was a twentieth of the total common service, and the subdeacon, which was a third of the *sacra*.⁸ The two archbishops also had to meet gratuities and small fees connected with the award of the pallium.⁹ Finally, the many prelates who were compelled to contract loans with bankers in order to meet these obligations had to pay for the accommodation, though this expenditure was of no financial profit to the pope or the members of his court.¹⁰

¹ *Gesta Abbatum*, II, 56-58.

² This does not include 200 marks paid for postponement of the date of payment, because the payee, who is not specified, might have been the merchants who lent the money for the services and not the papal camera. The items included are expressed in several coinages, and one cannot be certain of the exact rate of exchange which was obtained on some of the lesser items.

³ Lunt, *Papal Revenues*, I, 90; II, 286, 287, 290-92, 298-300, 509-11.

⁴ Clergeac, *La Curie*, pp. 166, 167. The abbot of St Albans was blessed by the pope: *Gesta Abbatum*, II, 55.

⁵ A few items of the expenditure of the abbot of St Albans are unclassified, but no such item is large enough to represent the *sacra* or the subdeacon levied at the rate current in the pontificate of John XXII.

⁶ Lunt, *Papal Revenues*, II, 244, 245, 509-11.

⁷ *Ibid.*, II, 248, 249.

⁸ Clergeac, *La Curie*, p. 166. There were also slight additional chancery fees: *Papal Revenues*, II, 295, 510.

⁹ Lunt, *Papal Revenues*, II, 234, 299, 503; Göller, *Einnahmen unter Johann XXII*, pp. 25*, 26*.

¹⁰ There were, of course, small chancery fees for the papal letters of license and execution associated with such loans.

The burden of the common services and the associated payments often caused English prelates serious financial embarrassments. A bishop or abbot who became liable for the services had to pay within a year or two a sum amounting to more than a third of his estimated annual income, and he did not begin to receive the income of his newly acquired office until after the obligation for services had been assumed. The king had the right, during their vacancies, to the temporal revenues of all bishoprics and most abbacies which owed services, and the archbishop or other ecclesiastics took the spiritual revenues of vacant bishoprics.¹ Frequently prelates asked for extension of the time given for payment,² and some persuaded the king to use his influence with the pope to secure the desired delay.³ Several who failed to obtain postponements fell under ecclesiastical censures, though few delayed so long that the process of sequestration became necessary.⁴ Archbishop Pecham found it impossible to pay in 1279 the loan which he had contracted with Italian merchants for the purpose of meeting his service tax. He had not yet received any income from the archbishopric,⁵ and he could not pay his debt by making a new loan in England, because a change in the coinage had rendered money scarce. In an effort to escape the impending penalties imposed by the papal executory letters he sought a loan from the funds of the crusading tenth deposited in England or a relaxation of the sentences. In the former quest he was unsuccessful, for in 1280 he was seeking loans of several English prelates as a means of meeting his obligation to the merchants,⁶ from whom he appears to have obtained an extension of time.⁷ Archbishop Newark of York obtained the money for his services by loans from personal friends,⁸ but the strain upon his resources was so great that he could not meet some of his other debts when they fell due.⁹ Recourse to loans from the wealthier clergy of the diocese seems, indeed, to have been a common method of meeting the payments of services.¹⁰ Louis de Beaumont, who was promoted

¹ On the spiritual revenues see Churchill, *Canterbury Administration*, I, 161-240.

² Above, p. 473; *Northern Regs.*, pp. 179, 180.

³ Rymer, *Foedera*, II, 257, 391.

⁴ Above, p. 473. Muniments of Dean and Chapter of Durham, Locellus III, 13, 15, 32.

⁵ Sutcliffe, 'Financial Condition,' *Speculum*, x, 54, 55, 58.

⁶ *Reg. of Peckham*, I, 17-20, 106, 107.

⁷ Sutcliffe, *loc. cit.*, x, 58.

⁸ *Reg. of Newark*, pp. 289, 293, 294, 304, 310-13. He had difficulty in finding a firm of Italian merchants who would transport the money to Rome, until he secured a royal license for its exportation from the realm.

⁹ *Priory of Hexham*, I, app. p. xxix. For another similar instance see *Reg. of Grandisson*, I, 200-2.

¹⁰ *Reg. of Grandisson*, I, 217, 365, 368, 372, 389, 394, 490.

to Durham in 1317, had barely recovered from the debts contracted to pay his services after an interval of fourteen years,¹ and Hamo de Hethe, who was promoted to Rochester in the next year, sold the wood on one of the episcopal manors in order to meet his obligation at the Roman court.² In several instances prelates secured royal or papal license to levy aids or annates from their subjects, or obtained from their subjects the grant of voluntary aids, to help them meet the cost of their confirmation or provision by the pope.³ This transfer of part of the burden to their subjects later caused harsh popular criticism of the service tax,⁴ but it had begun only in a mild manner before 1327.⁵

The number of English prelates who became subject to the service tax increased as the papal reservations grew more extensive,⁶ reaching a peak in the closing years of the period. The rate of increase is best displayed by the figures concerning archbishops and bishops, since the abbots of Bury, St Augustine, Canterbury, St Albans and Waltham were required to obtain papal confirmation of their elections regularly after 1215, and other abbots were required to pay services only rarely and sporadically. The figures set forth in the following table are arranged in such a way as to group the earlier pontificates.

Period	Bishops consecrated ⁷	Confirmed or appointed by the pope ⁸	Evidence of the pay- ment of services ⁹
1254-64	23	6	3
1265-80	28	6	3
1281-94	19	3	1
1295-1305	13	7	8 ¹⁰
1305-15	14	5	5
1315-27	22	16	15 ¹¹
	—	—	—
Total	119	43	35

¹ *Historiae Dunelmensis Scriptores Tres*, p. 99; Muniments of Dean and Chapter of Durham, Misc. Charter 6023; I. xiv. 5, 15 Pontificalium.

² Cotton MS. Faust. B v, fol. 34v.

³ Lyle, *Office of an English Bishop*, pp. 60-62; Drake, *History of York*, p. 431; Prynne, *Records*, III, 123, 124; *Cal. Pap. Regs. Letters*, I, 484; *Reg. of Grandisson*, I, 355, 361-63, 365-68, 380, 381, 402, 406, 432, 441-43, 466, 467, 491, 507; *Regs. of Sandale and Asserio*, p. 574; Hemingburgh, *Chron.*, II, 242; Muniments of Dean and Chapter of Durham, Misc. Charters, 415, 4186, 4436, 5846; Locellus xviii, 102.

⁴ Owst, *Literature and Pulpit*, p. 250.

⁵ Hemingburgh, *Chron.*, II, 242.

⁶ For the reservations see Lunt, *Papal Revenues*, I, 83-85; II, 217-28.

⁷ Though compiled on the basis of other evidence, the numbers correspond with those given by Stubbs. I have omitted an archbishop of York who resigned almost immediately after his appointment in 1265 and a bishop of Llandaff who was appointed by the pope but apparently resigned or died before his consecration: *Regs. de Nicolas IV*, 3397, 4959.

Though the amount received for the services of English prelates must have increased accordingly, the total cannot be stated for lack of exact figures in most instances before 1294.¹ The whole amount of the common services paid by English prelates to both pope and college was £6,466 13s. 4d. during the pontificate of Boniface VIII,² £5,573 6s. 8d. during the pontificate of Clement V, and £10,893 6s. 8d. during the pontificate of John XXII to the close of 1327.³ The additional amount received at the papal court for petty services, fees and gratuities cannot be computed for lack of data, but it was enough to add materially to the financial burden of the forty-one English prelates who paid common services during the course of these three pontificates to 1327.

The levy of the services aroused comparatively little adverse criticism in England. A prelate burdened with them occasionally bemoaned his fate, and a chronicler now and again related with condemnatory gusto the large sum which some prelate had been compelled to pay for his papal confirmation or appointment,⁴ but few chroniclers complained about the tax in general terms.⁵ Neither did it evoke any general opposition of significance. Edward II twice protested against the papal reservation of English bishoprics,⁶ but he offered no opposition to the levy of the services. Prelates sometimes remonstrated with regard to the amounts charged against them,⁷ but no record of organized resistance to the tax

⁸ Bishops confirmed by papal legates and delegates and two papal appointees who were never consecrated have been omitted: Prynn, *Records*, III, 575, 576; *C.P.R.* 1247-58, p. 580; 1258-66, pp. 570, 581; *Regs. de Clément IV*, 171; *Regs. de Nicolas IV*, 3397, 4959.

⁹ The lack of correspondence of these figures with those in the second column may be due merely to lack of evidence: above, p. 466.

¹⁰ A bishop of Exeter who was neither confirmed nor appointed by the pope was recorded as paying instalments of the common service: Oblig. 1 A, fols. 16, 21; Lunt, *Papal Revenues*, II, 260-62.

¹¹ On 22 March 1327 James Berkeley was provided to Exeter, and apparently he undertook to pay services: *Cal. Pap. Regs. Letters*, II, 258; Oblig. 10, fol. 44^v. His death soon after left a vacancy which was filled by the papal appointment on 18 October 1327 of John de Grandisson, who did not undertake his predecessor's services, presumably on account of the custom that bishoprics filled twice within a year should pay only once: Lunt, *Papal Revenues*, II, 260-64.

¹ Above, p. 467.

² The common service of the bishop of Norwich has been calculated at the amount which was pledged by a bishop of Norwich in 1325.

³ Below, app. pp. 678-81. In a few instances where records of payment are incomplete, full payment has been presumed on the basis of the obligations to pay. The pledge of the prior of Durham in 1325, however, has been treated otherwise. It seems probable that the prior was relieved of the payment on account of the ruling in 1324 that only exempt conventual priories should be liable for services.

⁴ Below, pp. 480, 677.

⁵ Murimuth, *Continuatio*, p. 174; Hemingburgh, *Chron.*, II, 242.

⁶ *Worcester Sede Vacante Reg.*, pp. 106-7; Exch. K.R. Ecclesiastical Documents, 17/19.

⁷ Above, p. 468.

survives.¹ Their quiescence may well have been due to the circumstance that few of them were compelled to pay the tax before it had been established for so many years that it could rest securely upon the most solid of all mediaeval institutional foundations, the rock of ancient custom.

2. PRIVATE OR SECRET SERVICES

Associated with the common and petty services in name and often in administration, but different in classification, were the private or secret services. The two names were applied indiscriminately to the same revenue.² The earliest known instances occurred in the time of Boniface VIII,³ and under Clement V they became frequent.⁴ Clement V in his will remitted all secret services which were owed to the camera at the time of his death, and directed that all obligations for them should be destroyed.⁵ Thereafter they appear to have ceased, unless they were levied under another name.⁶ The private services were personal gifts to the pope, made usually in connection with papal grants of privilege or favor. After a prelate had promised to make such a gift, he undertook an obligation to pay the specified amount of it at stated terms under conditions similar to those found in the obligation for common services.⁷

The English prelates who are known to have promised private services to either Boniface VIII or Clement V, with one exception, owed common services, and they undertook obligations for the private and common services at the same time.⁸ In 1303 the abbot of St Albans promised to Boniface VIII for private visitation 3,000 florins in addition to 3,600 florins for common service.⁹ Clement V took the occasion, when the

¹ The suggestion was made at the council of Vienne that the pope should be given a permanent twentieth of the clerical income of Christendom in return for the abandonment of services and other taxes: above, p. 395. It found no favor with the council, because the prelates feared that the papacy would take the twentieth and retain the services: Clergeac, *La Curie*, pp. 10, 11.

² Tellenbach, 'Beiträge,' *Q.u.F.*, xxiv, 151.

³ Haller, *Papsttum*, p. 46.

⁴ König, *Die päpstliche Kammer*, pp. 25, 26.

⁵ Baumgarten, *Untersuchungen*, p. 240, no. 334.

⁶ They do not appear in the cameral registers: Göller, *Einnahmen unter Johann XXII*, p. 52*. Adam Murimuth, who was thoroughly familiar with the court of John XXII, stated that he continued to levy them: *Continuatio*, p. 175.

⁷ König, *Die päpstliche Kammer*, p. 25; *Reg. Dunelmense*, I, 89; below, p. 480.

⁸ Adam Murimuth associated private as well as common services with the papal reservations of bishoprics: *Continuatio*, p. 174.

⁹ *Gesta Abbatum*, II, 56. The chronicler gives 1250 marks as the equivalent of 3000 florins which is impossible. Elsewhere the rate of exchange is given at 4 florins to a mark which would make it 750 marks. If the secret services were reckoned arbitrarily, as were the common services, at five florins to the mark, the sum would be 600 marks.

death of a prior of Durham brought the collation into his hands, to obtain from his provisor, William de Tanfield, a promise of private service of more than 4,500 florins¹ and of common service of 3,000 florins,² which caused the chronicler of Durham to remark that the pope had sold rather than given the priory to him.³ Durham was particularly hard hit by the private services under Clement V. Richard Kellaw, when he was elected bishop of Durham, though he was confirmed by the archbishop of York on 11 May 1311,⁴ undertook to pay private services nevertheless. On 3 October he appointed a proctor with power to oblige him to Clement V for a gift of 5,000 florins to be paid at such times as the pope should specify, on the surety of the goods of himself, his successors and his church, and to submit him to the jurisdiction and sentence of the camerarius.⁵

Both the nature of the private services and the mode of their administration are illustrated by the history of the payment promised by Richard de Kidington, abbot of Westminster. He was elected in 1308.⁶ When he went to obtain papal confirmation, opposition arose, and he was forced to submit to an examination for his fitness in 1309.⁷ At that time he promised a payment to the papal camera of 6,000 florins,⁸ which was later called a 'private service.'⁹ The obvious inference is that the service was offered in order to obtain a favorable decision of his case, though it depends upon reasoning 'post hoc propter hoc.' The decision seems to

¹ *Reg. Clementis V*, app. i, 292.

² *Oblig.* 1, fol. 44.

³ Wharton, *Anglia Sacra*, i, 753. He says that the pope received 3,000 marks and the cardinals 1,000. He also records that William's predecessor, who had been suspended by the pope, paid 1000 marks to secure his restoration in 1306: *Historiae Dunelmensis Scriptores Tres*, p. 84. This payment may have been private service. The prior and convent borrowed over 4,000 marks in connection with the three payments: Muniments of Dean and Chapter of Durham, Locellus III, 13, 15, 32; Misc. Charters 4048, 5030, 6028.

⁴ *Reg. Dunelmense*, i, 1-3.

⁵ *Ibid.*, i, 89, 90. When Walter Reynolds was provided to Canterbury in 1313, he promised by his proctor 'pro Papa et 25 Cardinalibus 7500 florenos auri "et ii^m v^c florenos ex causa devotionis quam gerit ad ecclesiam Romanam."' The 2500 florins promised for devotion to the Roman church appears to be distinct from the sum promised to the pope and cardinals for common service and might be for secret service. His payment of 5000 florins to the cardinals for common service demonstrates that the whole sum of florins was for common service, despite the queer phraseology of his obligation: *Reg. Clementis V*, app. i, 254; *Oblig.* 4, fol. not noted.

⁶ *C.P.R.* 1307-13, p. 45.

⁷ *Cal. Pap. Regs. Letters*, II, 65.

⁸ Muniments of Dean and Chapter of Westminster, 53/9460. On 23 July 1309 the abbot received papal license to borrow 6000 florins: *Cal. Pap. Regs. Letters*, II, 70. He actually gave his bonds for 8200 florins, but they were cancelled by the holders on 8 February 1310: Muniments of Dean and Chapter of Westminster, 53/9454-56.

⁹ Rymer, *Foedera*, II, 349. In a cameral register it was called 'service of the camera,' and its entry under 'Diversis' distinguished it from common service: *Introitus et Exitus*, 16, fol. 96v.

have been delayed for a long time, for the abbot did not take the obligation for common service, which ordinarily followed immediately after confirmation, until 14 May 1311. This service amounted to 2,000 florins.¹ When the private service fell due is not known, but it was before 26 February 1313, when the pope ordered the bishop of London to cite the abbot to appear at the papal court, as his pledge required, to answer for 6,000 florins.² Apparently the citation was disregarded by the abbot. On 26 July 1313 Clement V commissioned William de Balaeto, the papal collector, to sequesterate, distrain and sell the issues of several manors belonging to the monastery.³ In this bull the common service, which had become due half on 14 November 1311 and half on 14 May 1312,⁴ was also included, since the debt for which the collector was to obtain satisfaction amounted to 8,000 florins. This executory process brought no result until 28 September 1314, when the abbot paid 804 florins. On 18 October he followed this instalment with 1,196 florins more. He accompanied the delivery with the protest that he would demand restoration of the sum, if he could prove that Clement V, 'in articulo mortis,' had remitted all debts due to himself and his camera.⁵ While the vacancy of the apostolic see held the question in suspense, Abbot Richard died and was succeeded by William Curtlington, who obtained confirmation of his election soon after John XXII was elected in 1316.⁶ He pledged himself at that time for 2,000 florins for his own common service and for a like sum for his predecessor's common service.⁷ On 11 May 1317 William paid his own common service,⁸ but left Richard's unpaid, because he was seeking to have the payment made by his predecessor to William de Balaeto credited against his common service and to have the debt for private service cancelled in accordance with the remission of debts of this type declared in Clement's will. This plea was put before the pope on William's behalf by the king on 22 November 1317.⁹ John XXII had already credited the payment to private service,¹⁰ and he had also ordered the new collector, Rigaud, to obtain the balance of 6,000

¹ *Reg. Clementis V*, app. I, 234.

² Muniments of Dean and Chapter of Westminster, 53/9460.

³ *Cal. Pap. Regs. Letters*, II, 118.

⁴ *Reg. Clementis V*, app. I, 233, 234.

⁵ Muniments of Dean and Chapter of Westminster, 53/9457. This seems to have been the exaggerated form in which the rumor of remission first reached England: Rymer, *Foedera*, II, 257.

⁶ Widmore, *Westminster*, pp. 86, 87; *Cal. Pap. Regs. Letters*, II, 132.

⁷ *Oblig.* I, fols. 59v, 60; 5, fols. 3v, 4; 6, fol. 1v.

⁸ *Oblig.* 4, fol. 10; *Introitus et Exitus* 13, fol. 10v.

⁹ Rymer, *Foedera*, II, 349.

¹⁰ It was entered under 'Diversis' and not under 'Servitia': *Introitus et Exitus* 16, fol. 96v; Göller, *Einnahmen*, p. 288.

florins still due.¹ On 3 August 1318 the king renewed his request for the cancellation of the debt,² but only a few days before the pope had instructed Rigaud to sequester the revenues of certain of the abbatial manors in satisfaction of the debt.³ The collector carried out this mandate on 17 January 1319, threatening the abbot with excommunication as well as sequestration. The king foiled the projected seizure by taking possession of the revenues of the designated manors for an alleged debt owed by the monastery to the crown,⁴ but the sentence of excommunication went into effect, and the abbot was also suspended and placed under interdict. The pressure of these sentences caused him to yield. On 29 November 1320 the apostolic camera acknowledged receipt from him of 2,500 florins and the college of cardinals received an additional 1,000 florins.⁵ The pope thereupon remitted the balance of the debt which amounted to 2,500 florins, and the camerarius authorized Rigaud and the bishop of London to give William absolution from the ecclesiastical censures and dispensation for any irregularity of which he might have been guilty.⁶ Rigaud performed this task, which brought the case to a final conclusion, on 8 January 1321.⁷ In this instance the attempt of Clement V to cancel the obligations for private service outstanding at his death by a clause in his will was manifestly disregarded by John XXII. The procedure demonstrates conclusively that the obligations for secret services were modelled upon those for common services and were enforced by the same methods.

3. VISITATION TAX

Another fee paid by only a few members of the higher clergy was the visitation tax. Unlike the private services and like the common and petty services, the visitation tax was paid by certain prelates under specified conditions. It was associated with compulsory visits to the tombs of the apostles. The requirement that bishops living in the neighborhood of Rome who were consecrated by the pope should visit the tombs of the apostles periodically goes back to the eighth century. The duty was imposed upon all archbishops in the eleventh century, and during the

¹ Rymer, *Foedera*, II, 349.

² *Ibid.*, II, 369.

³ 21 July 1318: Muniments of Dean and Chapter of Westminster, 53/9460.

⁴ Muniments of Dean and Chapter of Westminster, 53/9458.

⁵ *Introitus et Exitus* 41, fol. 12^v.

⁶ Letter to executors of absolution, 30 November 1320: *Cal. Pap. Regs. Letters*, II, 209; letter to the abbot, 12 December 1320: Muniments of Dean and Chapter of Westminster, 53/9459. The former, as summarized by the editor, gives the incorrect impression that Abbot Richard made the above two payments.

⁷ Muniments of Dean and Chapter of Westminster, 53/9460.

twelfth century it was extended to all bishops who received consecration and abbots who received benediction from the pope. With the subsequent growth of papal reservations the number of prelates who owed visitations steadily increased. Doubtless gifts were offered to the pope by by many of those who made these regular visits, but in the course of time it became compulsory for a designated few of them to pay a fixed sum upon the occasion of each compulsory visit. The visitation of one who owed a payment was called 'visitatio realis,' while the visitation of one who owed nothing was designated as a 'visitatio verbalis.' The 'visitatio realis' was probably established in each individual case by agreement between the pope and the first incumbent of the office who rendered the payment. In 1350 the plea of an archbishop that a payment made by one of his predecessors on the occasion of a visit in 1301 was a voluntary gift which did not place his church under permanent obligation to render the same sum at every required visit was accepted as valid by the camerarius of the cardinals, if it should be proved true. Despite this implication that the establishment of a perpetual obligation for the visitation tax required the consent of some incumbent of the church, the officials of of the camera held that the visitation tax was due from any church which was charged in their accounts with payment of a fixed sum upon the occasion of every visitation by its incumbents during a period of several years. The length of the interval between the required visitations varied in proportion to the distance from Rome. From England visitations were due once every three years.¹

Regular payments of the visitation tax by English prelates appear to have begun during the pontificate of Boniface VIII, but several English prelates made payments in connection with their visitations of the tombs of the apostles earlier in the thirteenth century. Presumably the archbishops of Canterbury and York began to make periodical visitations in the eleventh century, though the first mention of the practice which I have found was made by Theobald of Canterbury between 1159 and 1164.² In 1215, or soon after, it was customary for the abbot of St Augustine, Canterbury to visit the pope every three years,³ and during the next few years abbots of other exempt monasteries undertook the same obligation.⁴ Late in the thirteenth century a few English bishops also became liable for regular visits.⁵ The visitations undoubtedly involved expenditures. About 1215 the prior of Evesham spoke of the

¹ Lunt, *Papal Revenues*, I, 91, 92; II, 311-14.

² John of Salisbury, *Opera*, I, 46.

³ *Chron. de Evesham*, p. 259.

⁴ *Gesta Abbatum*, I, 311, 312; *Liber Censuum*, I, 285.

⁵ *Cal. Pap. Regs. Letters*, I, 454; Baethgen, 'Beiträge,' *Q.u.F.*, XXIV, 140.

cost,¹ and a chronicler of St Albans expected the Roman court to receive emoluments from the visits which the abbot of his house promised in 1235 to make every three years,² but the writers may have had in mind no more than the expenses of the journey and gratuities. They probably did not refer to the visitation tax, since the abbot of neither monastery was responsible for it when records of its payment began to be preserved in the cameral registers.³ In 1256 Alexander IV acknowledged receipt from the proctor of the abbot and convent of St Augustine, Canterbury of 60 marks in the name of visitations.⁴ The payment may have been the visitation tax, but it was probably a gift. Gratuities were often called visitations in this period, and the papal letter was probably written in compliance with the rule of Innocent IV that a member of the papal court who received a present from a proctor should notify the proctor's principal.⁵ When the abbot of St Augustine later became liable for the visitation tax, the amount was only 10 marks for each triennial period.⁶ Negative evidence also tends to confirm the view that no English prelates owed a regular visitation tax before the pontificate of Boniface VIII. The archbishops of Canterbury and York, who ultimately became payers of the tax, several times between 1270 and 1294 appointed proctors to make their triennial visitations by commissions which made no mention of payments to be rendered by the proctors to pope or cardinals.⁷ The silence is impressive, because similar commissions of a later date gave directions for the delivery of the visitation tax.⁸ At the papal camera in the fourteenth century a list of real visitations was compiled from the cameral registers which began with the pontificate of Nicholas III or Nicholas IV.⁹ It recorded only two payments rendered by English prelates before the pontificate of Boniface VIII. One was a visitation of 15

¹ *Chron. de Evesham*, p. 259.

² *Gesta Abbatum*, I, 312.

³ A possibility that they paid the tax in this period and escaped it later should be noted. A papal privilege which St Albans obtained, probably between 1250 and 1260, was described by the chronicler as 'a memorandum concerning the triennial visitation, how the time is defined and the quantity of the thing is prescribed': *Gesta Abbatum*, I, 354. The 'quantity' might refer to the amount of the tax, but it might concern the length of the visitation or some other aspect of it.

⁴ *Regs. d'Alexandre IV*, 1511.

⁵ Tangl, *Kanzleiordnung*, p. 59.

⁶ Baethgen, 'Beiträge,' *Q.u.F.*, xxiv, 143, 145; *Reg. Clementis V*, app. I, 293; *Introitus et Exitus* 238, fol. 1^v.

⁷ *Reg. of Peckham*, I, 275; *Reg. of W. Giffard*, I, 156-60; *Northern Regs.*, pp. 35-37; *Reg. of Wickwane*, p. 336; *Reg. of le Romeyn*, II, 173.

⁸ Lunt, *Papal Revenues*, II, 306; Lambeth Palace Library, *Reg. of Winchelsea*, fols. 10, 339.

⁹ Found in *Collectorie 375* and edited by Baethgen in *Q.u.F.*, xxiv, 140-46. The scribe stated that he found no books for the pontificates of Urban IV and Clement IV, but did not say with which Nicholas he began.

marks which the abbot of Waltham paid to Celestine V in 1294.¹ It was probably a gift which entailed no subsequent obligation, since no abbot of Waltham was credited in the cameral registers with another instalment before 1327. The other was a payment of 100 marks by John of Pontoise, bishop of Winchester from 1282 to 1304. He was compelled to make triennial visitations because he was consecrated at the papal court, but the obligation ended with him and the payment did not become a precedent, because his two immediate successors were confirmed and consecrated by the archbishop of Canterbury. Moreover, the archbishops of Canterbury and York and the abbot of St Augustine, Canterbury, who became the only regular payers of the visitation tax from England, were first noted in the list as payers in 1297, 1303 and 1298 respectively, though visitations had been due from all of them in the previous period covered by the list.²

These three prelates continued their real visitations every three years after their initial payments until 1327.³ They were responsible for delivery of the payments at the Roman court when the visitations became due. They were usually prompt, though slight delays occurred occasionally. These the papal camera seems to have disregarded, but in 1321, when the abbot of St Augustine had neglected the tax for four consecutive triennial periods, the camerarius warned him to meet the obligation under penalties of excommunication and denunciation for perjury.⁴ The warning was so effective that the camera received the whole sum within six months.⁵ The two archbishops customarily remitted the money through firms of Italian bankers to their proctors at the papal

¹ A visitation of 80 marks made by an abbot of Waltham in 1266 was in all probability a payment of services: below, p. 677.

² The list began at least as early as 1291. The archbishop of York certainly made a triennial visitation in 1294: *Reg. of le Romeyn*, II, 173.

³ Baethgen, 'Quellen,' *Q.u.F.*, xx, 218; *idem*, 'Beiträge,' *Q.u.F.*, xxiv, 143-46; *Reg. Clementis V*, app. I, 292, 293, 300, 334; Göller, *Einnahmen unter Johann XXII*, pp. 33, 45, 47, 58, 60, 74, 76, 78; Baumgarten, *Untersuchungen*, pp. 84, 85; Kirsch, *Finanzverwaltung*, pp. 42, 89; Oblig. 1 A, fols. 37, 40^v; 10, fols. 65, 66^v, 72; Introitus et Exitus 13, fol. 4^r; 40, fol. 1; 41, fol. 97; 75, fol. 1^v; 238, fols. 5^v, 10^v; Reg. Avin. 47, fols. 574^v, 633, 655^v; Lambeth Palace Library, Reg. of Winchelsea, fols. 10, 339; Treas. of Receipt, Misc. Bk. 137, pp. 15, 16. These do not record the payments due from St Augustine in 1301 and 1304, from Canterbury in 1306, and York in 1306 and 1317. The gaps are probably in the records and not in the payments. The statement in a register of the cardinal college that the archbishop of Canterbury in 1320 owed the tax for several triennial periods is false: Baumgarten, *Untersuchungen*, p. 84. In 1343 Clement VI claimed that both archbishops still owed the payment due on 3 February 1317: *Cal. Pap. Regs. Letters*, III, 1. The archbishop of Canterbury had certainly made the payment: Introitus et Exitus 13, fol. 4^v; 16, fol. 4^v; 238, fol. 5^v. Record of that payment by the archbishop of York is lacking, but Clement's claim was probably a mistake, since he did not press it.

⁴ Kirsch, *Finanzverwaltung*, p. 24.

⁵ Introitus et Exitus 40, fol. 1; 41, fol. 97.

court, who made the visitation for them and delivered the tax to the papal camera.

Each archbishop owed for a visitation 300 marks and the abbot of St Augustine 10 marks. The archbishop of York obtained a more favorable rate of exchange than the archbishop of Canterbury. In the early payments the rate varied, but in 1309 the archbishop of Canterbury was required to render five florins for the mark, despite his instructions to his proctor to pay at the rate of four florins for the mark, while the northern archbishop was acquitted for a sum which represented four florins for the mark.¹ Thereafter the two rates became permanent. In 1320 the college of cardinals, which received half of the visitation taxes, protested the rate allowed to the archbishop of York and demanded from him 750 florins in place of 600 florins which it had received. The protest was brought before the pope and cardinals in consistory, where it was decided that the archbishop was entitled to this customary rate of exchange.² Since the normal rate was in the immediate neighborhood of four florins to the mark during most of the period from 1309 to 1327,³ this distinction apparently meant that the archbishop of Canterbury paid more than 300 marks each time and not that the archbishop of York paid less.⁴ The total yield of the tax between 1297 and 1327 was £4,066 13s. 4d.,⁵ provided all of the payments were rendered.⁶ The annual average value of the tax to the papacy was 203 1/3 marks, which may be compared with the 300 marks received from Peter's pence.

4. ANNATES

The institution during the second half of the thirteenth century of the three preceding taxes, which fell upon the higher clergy, was followed early in the fourteenth century by the establishment of annates, which were levied principally from other classes of the clergy. This form of taxation was first utilized to provide a significant revenue for the papal camera by Clement V, but the tax itself had been in existence long before his pontificate. In many parts of Europe local prelates or ecclesiastical

¹ Baethgen, 'Quellen,' *Q.u.F.*, xx, 218; *idem*, 'Beiträge,' *Q.u.F.*, xxiv, 143-46; *Reg. Clementis V*, app. 1, 300; Kirsch, *Finanzverwaltung*, p. 106; Lunt, *Papal Revenues*, II, 306.

² Baumgarten, *Untersuchungen*, pp. 85, 86.

³ Schäfer, *Ausgaben*, p. 117*; *C.P.R. 1313-17*, p. 205; Stapleton, 'Brief Summary,' *Archaeologia*, xxvi, 324; *Collectorie 373*, fols. 1^v, 2^v, 6^v, 19^v; *Reg. Avin.*, Benedict XII, vol. 8, fol. 467; *Cal. Pap. Regs. Letters*, II, 472, 480, 485.

⁴ Apparently the camerae would not accept payment in marks.

⁵ Computed on the basis of the face value in marks, because the rates of exchange which the payers actually obtained is known in only a few instances.

⁶ There is doubt about very few of them: above, p. 485.

corporations had obtained by custom, statute or privilege the right to take all or part of the revenues of certain benefices during the first year after their vacancies. Examples occur as early as the eleventh century and during the next two centuries the practice became widespread.¹ Honorius III began to grant to bishops the privilege of exacting first fruits from all benefices becoming vacant in their dioceses within a given term of years. Innocent IV authorized Boniface of Savoy to collect annates from the whole province of Canterbury, and Alexander IV extended the right to Henry III for the whole kingdom.² Toward the close of the thirteenth century papal grants of annates to prelates and others became numerous.³ The obvious association between these concessions and the papal adoption of the tax for its own profit was glimpsed by the chronicler, Rishanger, who wrote: 'The pope, seeing the insatiable avarice of certain English bishops, who were demanding importunately that the first fruits of vacant churches in their dioceses be granted to them, . . . appropriated to himself for three years all revenues from the first fruits of vacant churches throughout all England.'⁴

While this appears to have been the historical development which led to the imposition of annates for the use of the papal camera, it should be noted that Clement V was not the first pope to decree a levy of annates for a general purpose. In 1246 Innocent IV directed that the local possessors of annates in England should contribute half of what they received in aid of the Latin empire of Constantinople.⁵ The tax probably was never collected, and no other like it appears to have been imposed in the period between 1246 and 1306. Papal annates, moreover, when they were established in the fourteenth century, were not confined to benefices from which local annates were due, but were levied from all benefices of stated classes which fell vacant. Papal annates postponed the rights of local possessors of annates, but they did not prevent the application of such rights in a later year. Since the papal tax of 1246 was so unlike the later papal annates and no apparent historical connection between

¹ Göller, *Einnahmen*, p. 81*; Kirsch, *Die päpstlichen Annaten*, pp. xii, xiii; Haller, *Papsttum*, p. 50; Samaran et Mollat, *La Fiscalité pontificale*, p. 23.

² For a brief review of local annates in England see Lunt, 'First Levy,' *A.H.R.*, xviii, 50-52. The following additional references to annates levied in other dioceses may be noted: Pipe Roll Soc., *Pubs.*, xxxiv, 125; *Reg. of Reynolds*, p. 11. One of Ottobon's constitutions of 1268 forbade prelates to collect first fruits unless they had the right by special privilege or ancient custom: Wilkins, *Concilia*, II, 9.

³ Without any attempt at an exhaustive search, I have noted 36 grants of this type in the registers of Nicholas IV, who seems to have been more liberal in this respect than his successors before Clement V.

⁴ *Chronica*, p. 228. The same statement occurs in *Flores Historiarum*, III, 130.

⁵ Above, p. 250.

the two exists, it seems probable that the papal annates had their origin in the grants of annates made by the popes to local prelates and lay rulers, since between these two were both historical continuity and similarity of form.

On the other hand, Rishanger probably overemphasized the importunities of English bishops as the reason for the confinement to the British Isles of the first experiment with annates as a source of papal revenue, though his statement may contain a grain of truth.¹ A more probable explanation is the favorable opportunity offered to Clement V by the arrival of embassies seeking favors for Edward I. One, which came to Bordeaux soon after Clement's election, received for the king a desired concession of tenths,² and the other, which went to Lyons in the autumn of 1305 to attend the consecration, secured Edward's release from his oath to observe the forest charter and the suspension from office of Archbishop Winchelsea.³ Though the pope may not have received definite royal approval for a levy of annates in return for his favors to the king, his compliance with the royal requests placed the king in a position where it would have been ungracious and impolitic to protest the levy.

The tax was decreed by two letters dated 1 February 1306. One ordered the clergy to pay it,⁴ and the other commissioned William Testa and William Géraud de Sore to collect it.⁵ The revenue was defined as the fruits of the first year of all ecclesiastical benefices vacant within the next three years, except the mensal incomes of archbishops, bishops and regular abbots, but it was not intended to take the whole of the income, since the benefices were to be deprived neither of proper services nor of the cure of souls. Local possessors of a right to the fruits of the first year of vacant benefices were deprived of it, but they were permitted to collect the fruits of the second year. The collectors were authorized to appoint deputies

¹ Of 36 grants made by Nicholas IV, 4 were awarded to English prelates and 3 to other prelates in the British Isles. Celestine V granted annates to Edward I, but Boniface VIII revoked the grant before the collection began: Lunt, 'First Levy,' *A.H.R.*, xviii, 51, 52.

² Above, p. 382.

³ The bulls were dated 29 December and 12 February: Rymer, *Foedera*, i, 978; Lunt, 'First Levy,' *A.H.R.*, xviii, 52. On the embassy see *C.P.R.* 1301-7, p. 387; *C.C.R.* 1302-7, p. 351; Willard, 'Ordinances,' *E.H.R.*, xlviii, 84, 85. It bore rich gifts to the pope: Exch. K.R. Accounts 367/6, m. 1; Rishanger, *Chronica*, p. 227. In addition to the embassies, several messengers went back and forth between England and the papal court from June 1305 to February 1306: Harl. MS. 152, fols. 5, 15, 18^v.

⁴ *Reg. of Gandavo*, pp. 217, 218.

⁵ First edited by me in 1912: *A.H.R.*, xviii, 62-64. Kirsch later published my text with conjectural emendations: *Römische Quartalschrift*, xxvii, 205*-07*. It has now been edited again in *Reg. of Gandavo*, pp. 214-17. Even so, Vincke, writing on 'Die Krone von Aragon und die Anfänge der päpstlichen Annaten' in 1932, stated that the date of the levy of annates by Clement V was unknown: *Römische Quartalschrift*, xl, 178.

and to use the customary means of compulsion. They were appointed to act jointly or severally, and in practice William Testa, who was the general collector of other papal revenues, took most of the responsibility, though he was assisted in the province of York by another nuncio, William de Prat, a canon of Comminges.¹ In the province of Canterbury, where Testa directed the work himself, he appointed from the local clergy deputies, who were few compared with the number required for the collection of a tenth.²

The commission of the collectors was read publicly in London on 6 June,³ and during the next few days copies were sent to the bishops for local publication.⁴ The copies were accompanied by orders to the bishops or to the deputy collectors to certify the names and values of the benefices which had become vacant since 1 February and thereafter to inform Testa of new vacancies within a month of their occurrence. The bishop of Salisbury compiled his first list by ordering his archdeacons to supply the information, while the deputy collectors in the diocese of Worcester required each rural dean to cite all the secular and regular clergy of his deanery to assemble for the purpose of supplying the necessary data.⁵

The new tax evoked opposition not only among the clergy who had to pay it but also among the laymen who feared that it would encroach upon their rights of advowson. The opposition found expression at the parliament of Carlisle, held in the spring of 1307, in petitions addressed by the community to both king and pope against annates and other papal exactions which were regarded as abuses. The petition to the king resulted in the indictment of Testa and his summons to appear before parliament and answer for the levy of the revenues declared to be abuses. He offered no denial, but pleaded that he acted by papal command. Parliament, holding the plea insufficient, forbade the collector to continue with the levy of the exactions named in the charge against him and ordered him to revoke what he had done in the premises. This award was not maintained by Edward I in its entirety. After parliament was dissolved, he authorized Testa to continue the levy of annates, provided he

¹ Other nuncios took charge in Scotland and Ireland: Lunt, 'First Levy,' *A.H.R.*, xviii, 56, 57.

² Lunt, *loc. cit.*, p. 57, n. 71. I have discovered only three. Robert de Patrica, rector of Farnham, who had assisted Geoffrey of Vezzano in the collection of a tenth (Muniments of Dean and Chapter of St Paul's, Press A, Box 54, no. 42, mss. 1, 2), was deputy in the dioceses of Salisbury and Winchester, and the prior of Worcester and Thomas de Weston were deputies in a collectorate which included at least the diocese of Worcester: *Reg. of Gandavo*, p. 231; Muniments of Dean and Chapter of Worcester, Liber Albus, fol. 26v.

³ *Ann. Londonienses*, p. 147.

⁴ *Reg. of Gandavo*, pp. 212-18; Winchester Diocesan Registry, Reg. of Woodlock, fol. 42v.

⁵ *Ibid.*; *Chapter Act Book of Beverley*, i, 142; Muniments of Dean and Chapter of Worcester, Liber Albus, fol. 26v.

would not attempt to collect them from abbacies and priories. The king apparently felt that he was under obligation to Clement V to maintain this tax.

Though the parliament of Carlisle did not prevent the levy of annates, its prohibition was by no means the complete failure which it has sometimes been represented to have been. The six other grievances named in the indictment were the increase from one to four of the papal collectors paid by procurations, papal provisions, the use for other purposes of legacies and gifts to the Holy Land, the attempt to levy Peter's pence in a manner contrary to custom, the collection for the pope of pecuniary penalties for the Holy Land arising from private contracts, and the exaction of legacies indistinctly bequeathed. The first charge was incorrect, because Testa appears to have been the only one of the four nuncios who received procurations from the English clergy, the second and the third were beyond the collector's competence to remedy,¹ and the third was also put forward without proof. The last three, however, were enforced by Edward I and by Edward II after him. The popular movement brought to a head by the imposition of papal annates thus accomplished a limitation of the papal fiscal exactions in England of no small importance.²

After the royal revocation of the parliamentary prohibition of the collection of annates, the collectors experienced some further difficulty. Clement V twice protested the prohibition before he knew that it was removed, and on both occasions Edward II replied that he would abide by his father's decision to allow the collection to proceed, provided annates should not be levied from abbacies and priories and nothing should be done to the prejudice of the crown. He added that he knew of no violation of the privileges of the collectors as established by this grant.³ On 28 October 1309, however, the pope complained that William de Prat had been arrested by the sheriff of York, because he continued to collect annates despite the prohibition placed upon him by royal officials, and had not been released until he had paid a fine of £10.⁴ If the arrest was

¹ The prohibition on papal provisions was cited as a precedent for action against provisions by parliament in 1343: *Rot. Parl.*, II, 144.

² For a fuller account of the action of the parliament of Carlisle see my articles in *A.H.R.*, xviii, 53-56; *E.H.R.*, xli, 337-48. An error in the second has been brought to my attention by Professor E. B. Graves. My implication (p.347) that the English debtor on whom Testa served a citation to appear before the papal camera owed the debt to the camera is incorrect. The debt was owed to a canon of Lyons. Richardson and Sayles have published a document which they think represents the detailed grievances on which the complaint against annates in the parliamentary petition was based: 'The Parliament of Carlisle,' *E.H.R.*, liii, 426-33.

³ Rymer, *Foedera*, II, 10, 25, 42, 53.

⁴ Rymer, *Foedera*, II, 97.

recent when the pope wrote, it may have been due to the failure of the nuncio to observe the limitations decreed by the king or to the excessive zeal of the royal officials, but it may have taken place before the parliamentary prohibition had been rescinded by the king. The king promised in general terms to remedy the several injuries set forth in the papal letter, but he said nothing specifically concerning the case of William de Prat.¹ Edward II also forbade Testa to levy annates from a prebend in the royal free chapel of Hastings. Though the reason assigned for the command was the non-existence of any vacancy within the triennial period, the writ implied that the collection of annates from royal chapels was prejudicial to the crown.² Such obstacles as the king placed in the way of the collectors after the parliament of Carlisle did not hamper the work of collection seriously. The reports of Testa displayed the work proceeding at a normal rate of speed. They contained no mention of such hindrances as were offered in excuse for delay in the levy of some of the other papal revenues.³

The administrative methods employed by the collectors are pictured clearly enough in outline by the extant documents, though some details are left in obscurity. As soon as the collectors learned of vacancies through the reports of bishops or other agents, they took possession of the fruits in order to prevent their disbursement. If they failed to intervene before part of the fruits had been taken by others, they instituted inquiries for the purpose of recovering them.⁴ After they were in possession, they leased the revenues for a year,⁵ sometimes to a farmer appointed for the purpose and sometimes to the new incumbent of the benefice.⁶ Whoever undertook to be responsible to the collector for the first fruits obliged himself for the delivery of a specified amount.⁷ The contractor probably undertook also to keep up the customary services and cure of souls, since the papal bull ordered these to be maintained from the revenues of the benefice. The principles which governed the amount

¹ 1 April 1310: Rymer, *Foedera*, II, 105. On 12 July 1310 he notified Clement that before the council of Vienne royal nuncios would answer in detail the letter of 28 October 1309: *ibid.*, II, 111. See also the writ of 3 May 1310 instructing sheriffs to protect papal nuncios, provided they did nothing prejudicial to the crown: *ibid.*, II, 107.

² *C.C.R.* 1307-13, p. 343.

³ *E.H.R.*, xli, 352-57; below, p. 682.

⁴ *Reg. of Gandavo*, pp. 212, 213; *Chapter Act Book of Beverley*, I, 217; Muniments of Dean and Chapter of Worcester, *Liber Albus*, fol. 26v.

⁵ Testa's reports refer repeatedly to the system of farming the benefices, but they do not disclose the terms of the leases.

⁶ Muniments of the Dean and Chapter of Worcester, *Liber Albus*, fols. 46, 47v.

⁷ Implied in the reports of Testa; definitely stated in one instance: Lambeth Palace Library, *Reg. of Reynolds*, fol. 84.

to be paid by a contractor for a benefice are not formulated in extant documents, but the assessed values of the benefices contained in the valuation made for the tenth in 1291 and 1292 were probably taken. These were the values reported uniformly by the bishops, and benefices to which they assigned no values were frequently stated to be omitted from the valuation.¹ In 1309 the camera ordered the collectors to supply it with a complete list of the benefices which had fallen vacant during the three years together with their true values. The collectors asked the bishops to supply the information by a search of their registers, and again the values given were those of the assessment for the tenth.² Since the camera wished to know what the receipts from annates ought to be, a presumption is created that the amount of the annates was the assessed value of the benefice. This was sufficiently nominal in most instances to leave the surplus necessary to provide for the services and the cure of souls.³ Another bit of evidence which points in the same direction is Testa's statement that he could not certify the amount of the annates due from benefices not assessed for the tenth which had not been leased.⁴ A final test is provided by a comparison of the total value of the vacant benefices reported by the bishop of Winchester with the total amount of the annates reported by Testa as due from the diocese. The first was 681 marks and the second 642 marks. The probable reason for the difference is that the bishop's reports covered a period longer by nearly three months than the collector's report.⁵ If the whole of the actual income for the first year had been taken, the second figure would have been far in excess of the first which represented assessed value.⁶ It may be deemed probable that the amount exacted for annates was the assessed value of the benefice and certain that it was not the whole of the actual income of the first year.⁷ Even benefices not assessed in the valuation did not pay

¹ *Reg. of Gandavo*, pp. 219, 232, 234-37; Winchester Diocesan Registry, *Reg. of Woodlock*, fols. 42^v, 48^v, 56^v, 60, 66, 69, 74^v, 82^v, 94, 97^v, 101^v-102^v.

² *Reg. of Gandavo*, pp. 235-37; *Reg. of Greenfield*, 1, 119, 120; Winchester Diocesan Registry, *Reg. of Woodlock*, fols. 101^v-102^v.

³ *Extravag. Ioann. XXII*, tit. 1, cap. 2.

⁴ *E.H.R.*, xli, 354.

⁵ The bishop omitted the values of four benefices.

⁶ Lunt, 'First Levy,' *A.H.R.*, xviii, 59, n. 84. We do not have enough of the periodic reports from Salisbury to institute a similar comparison. The total value of the churches reported by the bishop for the three years amounted to 880 marks. On 13 June 1308, nearly eight months before the third year ended, Testa set the amount due from Salisbury at 1121 marks. There were, however, 49 benefices to which the bishop assigned no value: *Reg. of Gandavo*, pp. 235-37; *E.H.R.*, xli, 352.

⁷ The erroneous statement that the full year's income was taken is still being repeated: Vincke, 'Die Krone von Aragon,' *Römische Quartalschrift*, xl, 179; Müller, *Konzil von Vienne*, pp. 628, n. 52, 632.

the whole of their incomes, since Testa stated that they would be treated with moderation.¹ Unfortunately he did not describe the method by which the extent of their liability would be established. Possibly benefices which had deteriorated in value since the compilation of the assessment received a reduced valuation. The bishop of Winchester explained that two benefices were worth less than the assessed value, one because the land was uncultivated and the other because it had suffered the depredations of war.² Income in the form of daily distributions, which was common in some cathedral and collegiate churches, appears to have been exempt from annates.³

Payment of the annates was enforced in the customary manner. If a debtor failed to pay in accordance with the terms of his contract, he would be excommunicated, and if the sentence did not produce payment within a reasonable time, his goods would be sequestered.⁴ Testa's reports illustrate the effectiveness of the system. On 13 June 1308, when the triennial period still had nearly eight months to run, the annates of the province of Canterbury amounted to 16,516 marks 5s. 10d. Of this sum 9,483 marks 2s. 2d. had been paid and 7,033 marks 3s. 8d. were still owed.⁵ Since ordinarily it must have required several months to a year for the contractor to collect the revenues of a benefice, the unpaid sum represented in large part debts which had not become due. In 1310, when presumably all contracts had expired, a concerted effort was made to recover the arrears,⁶ which resulted in the receipt from the province of Canterbury of £1,763 1s. 8d. during that year and the next. On 1 October 1312 the arrears amounted to £1,262 5s. 6d.⁷ Testa's two immediate successors continued to seek these debts,⁸ and Rigaud d'Assier recovered £53 13s. 4d. of them between 1317 and 1321.⁹ The total yield of this levy of annates is not stated in Testa's reports, but upon the basis of the figures supplied in his report of 13 June 1308 it may be estimated at £18,838.¹⁰ The cost of collection cannot be determined. The deputy

¹ *E.H.R.*, xli, 354.

² Winchester Diocesan Registry, Reg. of Woodlock, fols. 102, 102v.

³ *Chapter Act Book of Beverley*, i, 142.

⁴ Muniments of Dean and Chapter of Worcester, Liber Albus, fols. 46, 47v, 48.

⁵ The totals as given by Testa. His totals for each diocese add to slightly different sums: *E.H.R.* xli, 352, 353; *A.H.R.*, xviii, 60, n. 91.

⁶ Muniments of Dean and Chapter of Worcester, Liber Albus, fols. 46, 47v, 48.

⁷ Below, p. 683; *E.H.R.*, xli, 355.

⁸ H.M.C., *Fourth Report*, app. pp. 382, 383; *Cal. Pap. Regs. Letters*, ii, 425; Lambeth Palace Library, Reg. of Reynolds, fol. 84; Muniments of Dean and Chapter of Worcester, Liber Albus, fols. 86, 89.

⁹ *Introitus et Exitus* 15, fol. 46v.

¹⁰ For an explanation of the method of compiling the estimate see *A.H.R.*, xviii, 61.

collectors received allowances from the proceeds for their expenses,¹ but the amount neither of these nor of the expenses of the principal collector is set forth in extant reports.²

John XXII was quick to utilize the invention of his predecessor. On 8 December 1316 he reserved annates for three years throughout practically the whole Roman catholic world by the bull *Si gratanter advertitis*.³ In Germany, where the tax was new, it caused opposition, but the English clergy, who had resisted the first levy so strenuously, submitted to the second like 'good asses.'⁴ The pope, however, took pains to pave the way for the imposition in England. The copies of the bull addressed to the English clergy were not given to Rigaud for delivery until 18 June 1317,⁵ and he did not arrive in England until the next September.⁶ During the interval Edward II became indebted to John XXII for liberal concessions with regard to the tenth imposed by the council of Vienne and for the grant of a new tenth.⁷ At the same time the pope conferred upon the king half of the sum yielded by annates during the first year of the levy, and ordered Rigaud to make delivery of it.⁸ The clergy, who were thus faced with an alliance of pope and king, held their peace, but laymen did not allow the collection to proceed entirely without protest. In 1318 the the priory of Spalding fell vacant, and the collector claimed the annates. The demand infringed upon the right to the fruits of the priory during its vacancy enjoyed by the patron, who was the powerful Thomas, earl of Lancaster.⁹ The question was placed before the autumn parliament at York, and the magnates advised the king to prohibit the practice. On 10 November 1318 a royal writ ordered Rigaud to supersede the exaction of first fruits from void priories, to revoke any sentences pronounced by him in the premises, and to restore any money previously received for the

¹ H.M.C., *Fourth Report*, app. pp. 382, 383.

² Testa's own expenditures are given as a whole, and the expenditures on specific taxes are not distinguished.

³ *Reg. de Halton*, II, 157-61; Salisbury Diocesan Registry, Reg. of Mortivall, II, fols. 75v-77; York Diocesan Registry, Reg. of Melton, fol. 496; Lambeth Palace Library, MS. 171, fols. 129-130v; *Collectorie* 359 A, fols. 8v-11v. The summary by Bliss is incorrect: *Cal. Pap. Regs. Letters*, II, 127.

⁴ Murimuth, *Continuatio*, p. 28.

⁵ *Collectorie* 350, fol. 57.

⁶ His royal safe conduct was dated 24 September 1317: *C.P.R. 1317-21*, p. 26. The first document issued by him in England, which I have noticed, was dated at York on 25 September: *Reg. of Halton*, II, 156-61.

⁷ Above, p. 402.

⁸ Theiner, *Vet. Mon. Hibernorum*, p. 191. The summary of this and other letters by Bliss conveys the impression that the grant was half the yield for all three years: *Cal. Pap. Regs. Letters*, II, 414, 442. There is no doubt that the grant covered the first year only: K.R. Memo. Roll 107, m. 202v.

⁹ Addit. MS. 35296, fols. 73, 73v, 78v.

annates of priories.¹ Parliament gave force to the writ by ordaining that Rigaud and his deputies should be attached and forfeit the royal protection, if they should disobey the royal command.² The prohibition was entirely successful. Though the collector had begun the sequestration of fruits of Spalding before the writ was issued,³ the priory did not appear among the payers of annates in Rigaud's final report.⁴ The pope later exempted regular conventual priories,⁵ and in practice even dative priories escaped the levy.⁶ This limitation upon the levy was, however, of slight importance.⁷ The failure of the attempt to stop the first levy apparently caused the English to regard further opposition to the imposition of the tax as hopeless.

On 19 November 1317, before the collection of annates had been long under way, John XXII increased substantially the number of benefices subject to the tax by issue of the constitution *Execrabilis*.⁸ It required every holder of two or more incompatible benefices with cure of souls to resign all but one of them before the ordinary within a month of local publication of the constitution, even if the incompatible benefices were held by papal dispensation. Failure to comply with the decree would deprive the pluralist of all his benefices and of the right to hold any benefice in the future. The decree also reserved the resigned benefices to papal collation, and directed each bishop to inform the pope of the benefices resigned before him. The law was not only retroactive but was also valid for the future.⁹ The publication of the bull in England produced a commotion among the clergy, which caused the king, on 10 January 1318, to request the pope not to apply the law in England. He also directed the clergy to hold their benefices until the papal reply should be received.¹⁰

¹ *C.C.R. 1318-23*, pp. 26, 27; Addit. MS. 35296, fol. 73. Similar writs were addressed to the deputy collectors in the dioceses of Lincoln and Worcester: *C.C.R. 1318-23*, p. 108.

² Cole, *Documents*, p. 8.

³ Addit. MS. 35296, fol. 73v.

⁴ *Introitus et Exitus* 15, fols. 34-37v.

⁵ *Cal. Pap. Regs. Letters*, II, 422.

⁶ Lunt, *Papal Revenues*, II, 342, 343; Exch. K.R. Ecclesiastical Account 8/10; *Introitus et Exitus* 15, fols. 1-41.

⁷ The collector experienced further hindrances from the government, but they do not appear to have been associated with annates. The papal letter of complaint does not specify their nature, and the hindrances noted in royal documents concerned other revenues levied by the collector: *Cal. Pap. Regs. Letters*, II, 421; *C.C.R. 1313-18*, p. 572; *1318-23*, p. 37; Rymer, *Foedera*, II, 398.

⁸ *Extravag. Ioann. XXII*, tit. III, cap. un.; Lambeth Palace Library, MS. 171, fol. 127v; *Muniments of Dean and Chapter of Durham*, Locellus I, 38.

⁹ In 1326, for example, the pope ordered his collector to send a list of the benefices which were reserved to the apostolic see by the constitution *Execrabilis*: *Cal. Pap. Regs. Letters*, II, 474. See also Churchill, *Canterbury Administration*, II, 31-34.

¹⁰ Rymer, *Foedera*, II, 354; H.M.C., *Fourth Report*, app. p. 382; Lambeth Palace Library, MS. 171, fols. 128, 131.

The royal protest did not prevent the execution of the decree and apparently did not even delay it. Resignations began early in February 1318 and continued throughout the remainder of the year.¹ Though the decree reserved to papal appointment all of the benefices thus resigned, benefices in lay patronage were excepted in practice.² The exception did not affect annates, since lay patronage did not exempt void benefices from the tax. The resignations were of such immediate importance to the collector that he requested the pope to supply him with copies of the lists of vacated benefices received from the bishops.³ The number of benefices vacated by the constitution was 169. Since the whole number of vacancies during the first year of the levy was 396,⁴ the constitution manifestly caused a significant increase in the amount of money derived from this levy of annates.

The bull *Si gratanter* was modelled upon the mandate by which Clement V had imposed annates ten years before. The directions for the collection of the tax were given in greater detail, but they reproduced in large part the practice which the collectors of the earlier levy had actually followed. The tax was defined as the fruits of the first year of all benefices which fell vacant within three years, with exceptions which were more numerous than those made in 1306. Annates were not to be levied from archiepiscopal, episcopal or abbatial churches, benefices with an annual income of six marks or less, benefices vacant by exchange or for a second time within a year, vicarages or chaplaincies established as chantries, or daily distributions. Those who were ordinarily entitled to the fruits of the first year were deprived of them, but they were empowered to collect the fruits of the following year.⁵ The collectors were instructed to take for annates the value of the benefice in the current assessment for the tenth, leaving the remainder to the holder of the benefice, unless they judged it expedient to take the remainder and leave the assessed value to the incumbent. The portion of the income left to the incumbent was to be sufficient to provide for his living and the charges upon the benefice. If the possessor of the benefice preferred, he might

¹ *Reg. of Orleton*, pp. 59, 60, 79, 84, 88; *Reg. of Newport*, pp. 184-86; York Diocesan Registry, Reg. of Melton, fol. 3. For this and following references to Melton's register I am indebted to Miss Ann Deeley.

² Murimuth, *Continuatio*, pp. 28, 29; *Reg. of Orleton*, pp. 87, 88; York Diocesan Registry, Reg. of Melton, fol. 3.

³ *Cal. Pap. Regs. Letters*, II, 421.

⁴ Compiled from Rigaud's report: *Introitus et Exitus* 15, fols. 1-41.

⁵ This may not have applied to the papal grant of annates for three years to the bishop of Norwich in his diocese issued on 1 April 1317, but it probably did, because the collection of papal annates in the diocese proceeded without delay: *Cal. Pap. Regs. Letters*, II, 142; Lunt, *Papal Revenues*, II, 331-33, 341-43; *Introitus et Exitus* 15, fols. 30^v-33.

release the whole income of the first year to the collector, who would thereby become responsible for the provision of a suitable person to conduct the divine offices, administer the sacraments and otherwise to take responsibility for the cure of souls, and also for the payment of any other charges upon the benefice. If the assessed value should be taken by the collector, the fruits were to be collected by the incumbent and the annates paid by him to the collector in two instalments at dates fixed by the collector. If the collector should elect to take the remainder for annates, he was to collect the fruits and pay the assessed value to the incumbent at two dates set by himself. Under no circumstances was the collector to sequester chalices, crosses, vestments or other movables dedicated to divine use. The collector was given power to appoint deputies and to use ecclesiastical censures.

In the course of the collection of the tax, problems arose which were referred to the pope by the collector or the taxpayers, and his decisions supplemented and interpreted the original bull. What the collector was to do with a benefice not assessed for the tenth was not stated in the bull. English prelates raised the question with Rigaud, who sought a papal opinion. John XXII ruled that such benefices were to pay for annates a half of the average yearly income.¹ In this decision he was following the rule which he had already applied to local receivers of annates in the constitution *Suscepti regiminis*.² In the same decision the exempted chantries were limited to those with an income of six marks or less,³ and Rigaud was directed to decide in each instance within ten days whether he would take the assessment or the remainder for annates.⁴ In a ruling handed down at the request of a French collector, the pope declared his pleasure that no more than the assessed value of a benefice should be taken for annates, even if the collector could make a more favorable bargain with the holder of the benefice.⁵ Though the ruling was later placed in the decretals, it was not observed by Rigaud, who sometimes exacted more than the assessed value of a benefice.⁶ The further provisions of this constitution were that the daily distributions of those who did not attend the hours were not exempt, that allowance should be made

¹ 21 July 1318: *Cal. Pap. Regs. Letters*, II, 422; Lambeth Palace Library, MS. 171, fol. 132^v. A later ruling to the same effect was incorporated in the canon law: *Extravag. Commun.*, lib. III, tit. II, cap. 11.

² 25 October 1317: *Extravag. Ioann. XXII*, tit. I, cap. 2; Wilkins, *Concilia*, II, 470; Lambeth Palace MSS., 171, fols. 128^v-129^v; 557, fols. 298-300.

³ A similar decision was rendered on appeal of a French collector: Lunt, *Papal Revenues*, II, 338.

⁴ Lambeth Palace MS. 171, fol. 132^v. The last provision is also contained in *Suscepti regiminis*.

⁵ 11 October 1317: *Extravag. Commun.*, lib. III, tit. II, cap. 10.

⁶ E.g., Lunt, *Papal Revenues*, II, 332, 333. The letter was not addressed to Rigaud, and it was not incorporated in the canon law until later.

to the holder of a prebend assessed at so much for the tenth that not enough would be left to meet the services due from the holder, that the prebends of absentee canons were liable for annates, and that, if the holder of a benefice could not collect its revenues, the collector should levy enough of them to pay the annates. On 5 January 1320 another papal constitution declared that the exemption of archiepiscopal and episcopal churches and of regular abbeys did not include prebends, dignities and offices in cathedral churches, the offices of monks in regular monasteries, or benefices held by monastic communities, and that the exemption of daily distributions did not apply to those received by canons *in absentia*.¹

Rigaud began to appoint his deputies and to notify the clergy of the tax during the last days of September and early days of October 1317.² Five of the deputies were abbots, one was a bishop, and the remaining seven were members of the secular clergy of lesser rank.³ One deputy usually had charge of two or more dioceses, but in some instances a deputy's collectorate was one diocese, and in the large diocese of Lincoln two deputies were appointed. The commission given by Rigaud to a deputy quoted his own commission and authorized the deputy to act in Rigaud's place for the purpose of executing the commands and exercising the powers contained in it.⁴

The collector and his deputies obtained their information concerning the existence and value of vacant benefices by the same method which Testa had employed. Early in October 1317, each bishop was requested to supply a list of the vacancies which had occurred in his diocese since the date of the reservation,⁵ and from time to time thereafter the collectors sought supplementary lists from the same source.⁶ After the expiration of the triennial period, as had been done after the previous levy, each bishop was asked to compile a comprehensive list of all vacancies for the use of the papal camera.⁷ The cameral clerks subse-

¹ *Extravag. Commun.*, lib. III, tit. II, cap. 11.

² *Reg. of Halton*, II, 156-63; Lambeth Palace Library, MS. 171, fols. 129-130v; Salisbury Diocesan Registry, *Reg. of Mortivall*, II, fols. 75v-77.

³ A list of the deputies in twenty dioceses is given in a report on arrears. The deputy in Norwich, the missing diocese, was Thomas de Hales (or Helles), who acted as deputy also in Ely: Lunt, *Papal Revenues*, II, 329, 330, 343.

⁴ *Reg. of Halton*, II, 156-61.

⁵ *Ibid.*, II, 163; Salisbury Diocesan Registry, *Reg. of Mortivall*, II, fols. 78, 78v, 81; York Diocesan Registry, *Reg. of Melton*, fol. 124.

⁶ *Reg. of Halton*, II, 170, 171; 'Red Book of St Asaph,' *Collectanea Topog. et Geneal.*, II, 274; Salisbury Diocesan Registry, *Reg. of Mortivall*, II, fols. 81v-84v.

⁷ *Reg. of Cobham*, p. 28; Brown, 'A List of Benefices,' *Yorkshire Arch. Soc.*, Record ser., *Miscellanea*, I, 138-48; York Diocesan Registry, *Reg. of Melton*, fol. 508; Wells Diocesan Registry, *Reg. of Drokensford*, fols. 100, 132-33.

quently checked the lists with the report of the collector and noted any discrepancies.¹

When the first list was requested of the bishops, they were ordered to sequester the fruits of the benefices which they listed until the assessed value of the benefices had been obtained.² This procedure ran counter to the instructions given in the papal bull, and, perhaps for that reason, the order was superseded after a few days by instructions that all holders of the vacant benefices and any who had received fruits from them should be cited to appear before the collector or a deputy to arrange for the payment of annates.³ When the holders appeared, they were required to give obligation to deliver to the collector or the deputy the sum agreed upon for annates in two equal portions at specified dates. In a contract undertaken by Adam de Orleton, bishop of Hereford, on 6 November 1317, the dates of payment were fixed at 2 February and 23 April 1318. The contractor had to oblige both his own goods and those of his church and to submit to the jurisdiction of the papal camera or of any ecclesiastical judge.⁴ Thereafter similar contracts were generally made with the new incumbents of vacant benefices as the appointments were made. Only occasionally did the collectors of this levy take over the vacant benefices and lease them for the amount of the annates.⁵ Either the collector reviewed the contracts made by the deputies, or he was consulted in doubtful cases, for he gave to the deputies instructions with regard to the terms of specific contracts and sometimes altered contracts which had been made.⁶

In the vast majority of cases the amount accepted for annates was the assessed value of the benefice.⁷ In some instances the collectors took more than the assessed value,⁸ and in others less. When they took less, it was because exaction of the assessed value would not leave enough income for the incumbent to pay for the services and charges of the benefice. Sometimes this was definitely stated, and sometimes the reason for

¹ They note concerning several benefices in the collector's report: 'non est in certificatione': *Introitus et Exitus* 15, *passim*. The certification was presumably the list provided by the bishops.

² *Reg. of Halton*, II, 162, 163; Salisbury Diocesan Registry, *Reg. of Mortivall*, II, fol. 78.

³ *Reg. of Halton*, II, 152, 153; Muniments of Dean and Chapter of Durham, Locellus XIX, 67.

⁴ *Reg. of Orleton*, pp. 43, 64, 69.

⁵ *Introitus et Exitus* 15, *passim*. The extracts published by Lunt are reasonably typical of the proportion: *Papal Revenues*, II, 330-35.

⁶ Report of the deputy for Norwich and Ely: *Exch. K.R. Ecclesiastical Documents*, 8/10; extracts in Lunt, *Papal Revenues*, II, 341-43.

⁷ *Introitus et Exitus* 15, *passim*; Lunt, *Papal Revenues*, II, 330-35.

⁸ The reasons for the increase are not given. The increases rarely represented instances where the collectors took the remainder and paid the assessed value to the incumbent because the holders of these benefices contracted to pay the annates to the collectors: *Exch. K.R. Ecclesiastical Documents*, 8/10.

the reduction was given as poverty, sterility of the land, lack of cultivation of the land, inundation of the sea, burning by the Scots or excessive assessment. One reduction was made at the request of the earl of Lancaster. The benefices which were not assessed and were consequently divided equally between the collector and the incumbent were few in number.

If a contractor failed to pay an instalment when it became due, he was excommunicated, and if that sentence proved ineffective, it was followed by sequestration.¹ The work of collection appears to have been done with about the same degree of efficiency that had been attained in the first levy. Rigaud's final report displayed a total gross yield of £16,356 13s. 2d., of which £1,452 9s. 6d. were still owed by the taxpayers.² The deputies were awarded £280 15s. 4d. for their labor and expenses,³ but Rigaud's expenses were not set forth. The sum which the papal camera received from Rigaud for annates amounted to £14,633 or more, but it included some of the annates from Ireland.⁴ The papal receipts from the English annates were less than that, because the half of the income for the first year, which was £3,151,⁵ was granted to the king. Rigaud, moreover, left some arrears, which his two immediate successors, Hugh of Angoulême and Itier de Concoreto were commissioned to collect.⁶ They were not notably successful.⁷ In 1331 the amount still in arrear for the first year of the levy was £306 11s. 10d.,⁸ and the amount left uncollected by Rigaud for that year was only £456 6s. 8d.⁹

The payment of the king's half is not particularly well attested. On 3 August 1317 the king assigned £4,000 of his share to two members of

¹ *Reg. of Orleton*, pp. 68, 69; *Reg. of Halton*, II, 162.

² Compiled from *Introitus et Exitus* 15, fols. 1-41. The figure for the gross total differs by slightly more than £5 from the sum which I obtained by a previous computation: *A.H.R.*, XVIII, 61. The report, which lists the benefices by dioceses, gives only the totals of receipts. The unpaid items may easily escape notice, and they account for the variation in the two computations.

³ Lunt, *Papal Revenues*, II, 329, 330.

⁴ Compiled from the acquittances issued to Rigaud by the papal camera for sums remitted mainly by the Bardi and the Peruzzi. The sums, which are stated in florins, amounted to 87,800. The acquittances may not be complete: *Collectorie* 373, fols. 1v-6v; 378, fol. 146v; Göller, *Einnahmen unter Johann XXII*, pp. 631, 632; *Cal. Pap. Regs. Letters*, II, 447, 449.

⁵ Compiled from Rigaud's report without deduction of expenses and unpaid debts.

⁶ *Cal. Pap. Regs. Letters*, II, 451, 488. As the editor summarizes Hugh's commission, it might appear to refer to a new levy of annates, but what he actually collected was 'residua fructuum beneficiorum ecclesiasticorum': *Introitus et Exitus* 146, fol. 23.

⁷ Hugh recovered some of the arrears, but it is impossible to say how much, because his acquittances do not itemize the several revenues: *Introitus et Exitus* 146, fol. 23; *Reg. Avin.* 55, fols. 467, 477-78v; Göller, *Einnahmen unter Johann XXII*, pp. 632-34; *Cal. Pap. Regs. Letters*, II, 454.

⁸ *Pipe Roll* 175, m. 14v; K.R. *Memo. Roll* 107, m. 202v. Of these arrears £152 19s. 3d. belonged to the king.

⁹ Compiled from Rigaud's report.

the baronial party which was friendly to him at the time,¹ but the assignment could never have been paid in full, since it was in excess of half the gross receipts of the first year by nearly £1,000. Rigaud delivered some portion of the royal share, but he left a balance due which the pope instructed Hugh of Angoulême to deliver.² Edward II also sought to recover the remainder from Gerard d'Assier, Rigaud's brother and executor.³ When Hugh retired from office in 1328, the sum still owed to the king was £231 16s. ½d., and Edward III attempted to obtain it from Rigaud's executor. In 1329 Gerard was credited with part of it, and in the next year he was exonerated of the remaining £152 19s. 3d., which was forthwith charged by the exchequer against the taxpayers who owed it.⁴ In the next year it was arranged with Itier de Concoreto that he should order the officials of the bishops of the dioceses in which the benefices were located to levy these debts by papal authority. His mandates were delivered at the exchequer for dispatch to the officials on 13 May 1331.⁵ Whatever success may have attended these letters, the accounts for the arrears leave no doubt that the king had previously received all of his share of the proceeds of the first year which had been collected from the taxpayers.

John XXII did not again before 1327 claim the annates of all benefices vacant in England.⁶ In other countries he sometimes exacted first fruits from a single benefice to which he made provision,⁷ but I have found no indication that he extended the practice to England.⁸ On 26 February

¹ *C.P.R. 1317-21*, p. 14; *1330-34*, p. 1; Tout, *Place of the Reign*, pp. 115-17.

² *Cal. Pap. Regs. Letters*, II, 453.

³ He estimated the balance still due the king at £366 13s. 4d.: Exch. K.R. Accounts, 506/27; *Regs. of Sandale and Asserio*, p. 586.

⁴ Pipe Roll 173, m. 13v; 174, m. 10; 175, mms. 10v, 13v, 14v, 17, 30v, 39, 41. Compare the items listed in the last roll with the arrears of the first year listed in *Introitus et Exitus* 15, fols. 1-16 and Exch. K.R. Ecclesiastical Documents, 10/8, m. 1.

⁵ K.R. Memo. Roll 107, m. 202v.

⁶ According to Bliss he ordered Rigaud, on 12 December 1319, four days after his first levy of annates expired, to collect annates for a second triennial period from all benefices falling vacant which had not paid the tax during the first triennial period: *Cal. Pap. Regs. Letters*, II, 191. The letter actually authorized Rigaud to collect annates after the expiration of the triennial period from benefices which had fallen vacant during the triennial period but had not paid annates during that period: Reg. Vat. 70, fol. 9v. Bliss apparently made his mistake by reading 'triennio secundo' for 'triennio supradicto.'

⁷ E.g., *Introitus et Exitus* 65, fol. 20v.

⁸ The prebend of East Harptree in the diocese of Bath and Wells may provide an exception. The canonry to which it was attached became vacant in 1318 at the apostolic see by the consecration of Louis de Beaumont to the bishopric of Durham: *Collectorie* 227, fol. 116v. The bishop of Bath and Wells filled the vacancy, and the incumbent paid to Rigaud £8 for annates: *Reg. of Drokensford*, p. 13; *Introitus et Exitus* 15, fol. 23v. In 1333 John XXII appointed a commission to cite the holder of the prebend, which was vacant at the apostolic see by the consecration of Louis, and gave the prebend to Henry de Harwedon: *Cal. Pap. Regs. Letters*, II, 401. Henry did not ob-

1326, however, he reserved the annates of all benefices which fell vacant at the apostolic see during the ensuing year, excepting cathedral churches, regular abbacies and benefices vacant by exchange, and thereafter he renewed the reservation year by year.¹ A few English benefices fell within the scope of this reservation before the close of the reign of Edward II.² Hugh of Angoulême apparently made no attempt to collect annates from them, but on 11 August 1329 his successor asked the archbishop of York to certify the benefices in his province which had been collated by apostolic authority since the date of the first annual reservation.³ Presumably it was his intention to collect annates for the whole period. The only report rendered by him to the camera, which I have found, contains no mention of the benefices reported by the archbishop,⁴ but the report apparently is not a complete record of his work as collector. The number of such benefices could not have been large,⁵ and the amount of annates arising in England under this reservation before the end of the reign of Edward II must have been insignificant.

5. INTERCALARY FRUITS

In the bull of 20 February 1326 John XXII reserved not only the annates of benefices which became vacant at the apostolic see but also their intercalary fruits. The latter were the fruits of a benefice during the period of its actual vacancy.⁶ The double reservation meant that the pope would receive the revenues of the benefice as long as it remained vacant and the annates during the first year after it had been filled with an incumbent. This was the first general reservation of intercalary fruits made by the papacy, as far as is known,⁷ but the tax itself was not new, nor was this the first time the papacy had used it.

tain possession until 1348, but nevertheless he paid to Bernard de Sistre, who was papal collector in England from 1335 to 1343, £33 6s. 8d. for the first fruits of the prebend: *Reg. of Shrewsbury*, (Somerset Record Soc. vol. x) p. 690; *Collectorie* 227, fol. 116^v. It is not entirely clear whether the papal provision was made in 1318 or 1333, but the later date, which is outside the period now under consideration, is the more probable, because provisions to other benefices vacated by the consecration of Louis were not made until 1334. Though the incident probably does not constitute an exception to the above statement, it provides an exceptional example of the payment of annates twice for the same vacancy.

¹ Lunt, *Papal Revenues*, II, 374, 375; Göller, *Einnahmen unter Johann XXII*, pp. 91*, 92*, 113*; Samaran et Mollat, *La Fiscalité pontificale*, pp. 24, 25.

² *Cal. Pap. Regs. Letters*, II, 255; York Diocesan Registry, Reg. of Melton, fol. 529^v.

³ York Diocesan Registry, Reg. of Melton, fol. 529^v.

⁴ *Collectorie* 227, fols. 34-45^v.

⁵ The archbishop of York listed only 18 papal provisions in the whole province between 20 February 1326 and 11 September 1329, and not all of these were due to vacancies at the apostolic see.

⁶ Also called 'fructus medii temporis' and 'vacantes.'

⁷ Göller, *Einnahmen unter Johann XXII*, pp. 113*, 114*.

Intercalary fruits, like annates, had a long local history before they became a financial resource of the central government of the church. Many bishops and monastic communities possessed by custom, law or privilege the right to collect them.¹ The bishop of Worcester claimed them from all the vacant churches in his diocese,² and other English prelates enjoyed the same privilege within their respective jurisdictions.³ Boniface VIII, who received the intercalary fruits from a few bishoprics, was probably the first pope to utilize this source of revenue.⁴ Clement V followed his example at least once,⁵ and John XXII reserved individually the intercalary fruits of many bishoprics and abbacies both before and after he applied his general reservation to lower benefices.⁶

The individual reservations of intercalary fruits were not extended to England before 1327, as far as I am aware. They were confined with few exceptions to patriarchates, archbishoprics, bishoprics, abbacies and priories. In England the king claimed the right to the temporal revenues of all vacant archbishoprics and bishoprics and of all vacant abbacies and priories which by fact or fiction were of royal foundation,⁷ and he was not prepared to surrender his prerogative to the papacy. It is true that Edward I, when Walter Langton, bishop of Lichfield and his treasurer and friend, was suspended from his bishopric pending his trial at Rome on charges preferred by Archbishop Winchelsea, who was attempting to strike at the king through Langton,⁸ accepted without protest keepers of the spiritualities and temporalities of Lichfield appointed by Boniface VIII.⁹ A few years later, when he secured from Clement V the suspension of Winchelsea from the archbishopric, he committed the custody of the temporalities to Humphrey de Waleden. Subsequently, when William Testa and Peter Amauin, a canon of Bordeaux, appeared

¹ Lunt, *Papal Revenues*, I, 99; Hartridge, *Vicarages*, p. 28; König, *Die päpstliche Kammer*, p. 39; Walter, *Manuel de Droit ecclésiastique*, p. 346; Sägmüller, *Kirchenrecht*, p. 887.

² *Reg. of Reynolds*, pp. 11, 50.

³ *Reg. Honoris de Richmond*, app. x, p. 65; Pipe Roll Soc., *Pubs.*, xxxiv, 79, 125; xxxvii, 98; H.M.C., *Cal. of MSS. of Wells*, I, 67, 72, 104, 191, 194-97, 203, 205, 308; *V. C. H. Lincoln*, II, 31; Lincoln Diocesan Registry, Reg. v (Burghersh), fol. 352; Thorne, *Chronicle*, tr. by Davis, pp. 354, 355.

⁴ Matthew Paris said that Master Martin sought the revenues of vacant benefices in 1244 and 1245, but apparently what he was seeking were vacant benefices to which the pope could make provision rather than intercalary fruits: *Chron. Maj.*, IV, 391, 402, 416, 443.

⁵ Lunt, *Papal Revenues*, I, 99, 100.

⁶ Göller lists them: *Einnahmen unter Johann XXII*, pp. 114*, 115*. For the formula of such a reservation see Guérard, *Documents pontificaux sur la Gascogne*, II, 83.

⁷ Madox, *Exchequer*, II, 302-5; Perceval, 'Remarks,' *Archaeologia*, XL, 432, note d.

⁸ Boase, *Boniface VIII*, p. 273.

⁹ Their commission dated 8 March 1302: H.M.C., *Fourteenth Report*, app. pt. 8, pp. 214, 215. Edward's acceptance of them is indicated by a letter to them concerning the business of the see: *C.P.R. 1301-7*, p. 118.

with a papal commission authorizing them to administer the temporalities and spiritualities of the vacant archbishopric, he allowed them to supersede his keeper.¹ In both these instances the king waived his claim to wardship, because he was so dependent upon the goodwill of the pope for the attainment of his ends that he could hardly do otherwise, but they represented exceptions to the customary royal policy. Edward I and Edward II were so careful to guard their control of the vacant temporalities of bishoprics and abbacies that they regularly compelled bishops and abbots who received papal provision to renounce the clause in the bull of provision by which the pope conferred the temporalities upon his appointee before they would restore the temporalities to such an appointee.² What would have been likely to happen, had the pope interfered with the king's fiscal rights by the reservation of the intercalary fruits of bishoprics or wealthy abbacies is illustrated by the action of the king against four English prelates who were appointed in 1306 to administer the spiritualities and temporalities of the priory of Durham while the prior was suspended by the pope on account of the dilapidation of the priory. They were acting as deputies of Anthony Bek, bishop of Durham, who had been appointed keeper of the vacant priory by the pope. When the king learned of their activities, he summoned them before the council, where they were told that their assumption of the guardianship on papal authority without royal consent was prejudicial to the king, and were ordered to cease the exercise of their functions and to revoke the ecclesiastical censures which they had issued. When they demurred, they were placed in prison until they gave way. Later they were tried before the parliament of Carlisle in 1307, and all but one of them were heavily fined.³ Since John XXII applied his individual reservations mainly to the wealthier offices in the church and the temporalities of most of these in England came into the hands of the king when they were vacant, it may have been by design rather than by accident that he extended no reservations of this type to England.

The general reservation of intercalary fruits made on 20 February 1326, which excepted cathedral churches and regular abbacies, applied to England, and was the first papal imposition of that tax upon the English clergy. The information collected by Itier de Concoreto in 1329 concerning the benefices which fell under the reservation indicates that the

¹ Madox, *Exchequer*, II, 224; Rymer, *Foedera*, I, 999; II, 133; *C.P.R.* 1301-7, p. 512; Murimuth, *Continuatio*, p. 13; *Cal. Pap. Regs. Letters*, II, 33; Prynne, *Records*, III, 1094-98; Stubbs, *Historical Introductions*, pp. 493-95.

² *C.P.R.* 1292-1301, p. 442; 1301-7, pp. 110, 421; 1307-13, p. 221; 1313-17, p. 84; *Exch. K.R. Ecclesiastical Documents*, 17/19.

³ *Cal. Pap. Regs. Letters*, II, 6; Prynne, *Records*, III, 1127-31.

tax was collected, though evidence of its actual levy is lacking. Since only the same benefices which owed annates under the terms of the same bull became liable for the intercalary fruits, few benefices became subject to payment of intercalary fruits before the close of the reign of Edward II.

CHAPTER X

MISCELLANEOUS PAPAL REVENUES

1. SPOILS

DURING approximately the same period in which the papacy developed the common services, it attempted to establish a claim to the spoils of English clerks who died intestate. The right of spoils, like annates and intercalary fruits, was long of profit to others before the papacy sought to utilize it for financial purposes. In the beginning it was the right to seize all the movables of a deceased bishop, but later it was extended to the goods of deceased priests.¹ The practice was older than Justinian's constitution which gave to bishops the right to dispose by will of the property which they owned before the assumption of office or which they received subsequently from their near relatives,² and it continued despite the constitution.³ The plundering was done at first by the clergy and dependents of the bishop, but in the course of time powerful lords deprived the clergy and people of the right and exercised it to their own advantage. By the twelfth century several kings were seizing the spoils of bishops and abbots,⁴ and some lay patrons, bishops and monastic communities were extending the principle to the lower clergy.⁵ The church strove vainly to stop the practice, though it did succeed in placing some limitations upon it.⁶

In England the right of spoils appears to have been introduced by the Normans.⁷ William II applied it to bishops and abbots,⁸ and his example was followed to some extent by his successors on the throne throughout the twelfth century.⁹ Stephen promised in the charter which he granted to the clergy in 1136 to allow ecclesiastics to arrange for the

¹ Eisenberg, *Spolienrecht*, p. 36; Viollet, *Histoire des Institutions*, II, 349.

² Eisenberg, *Spolienrecht*, pp. 20, 21, 27.

³ Luchaire, *Histoire des Institutions monarchiques*, II, 63-65.

⁴ Viollet, *Histoire des Institutions*, II, 349, 350; Walter, *Manuel du Droit ecclésiastique*, pp. 342-44; Dowden, *Mediaeval Church in Scotland*, pp. 195, 196.

⁵ Prochnow, *Spolienrecht*, pp. 53-57.

⁶ *Ibid.*, pp. 31-52, 57-109; Viollet, *Histoire des Institutions*, pp. 350, 351.

⁷ Prochnow, *Spolienrecht*, p. 72; Ordericus Vitalis, *Historia*, pp. 580, 581.

⁸ William of Malmesbury, *Historia Regum*, II, 497, 498; Prochnow, *Spolienrecht*, pp. 72-74.

⁹ Prochnow, *Spolienrecht*, pp. 74-80; Henry of Huntingdon, *Chron.*, pp. 307, 308; Ralph of Diceto, *Opera*, II, 12; William of Newburgh, *Historia*, I, 227; II, 439, 440; Roger of Hoveden, *Chron.*, II, 265; *Gesta Henrici Secundi*, I, 283; Roger of Wendover, *Flores*, II, 407; III, 4, 5; Gervase of Canterbury, *Opera*, I, 457.

distribution of their property before their death and to permit the church to dispose of the effects of intestate clerks, but he did not always keep his word.¹ In 1199 John authorized the archbishop of Canterbury to leave his property by will,² and this type of grant soon became common.³ Before 1234 Henry III gave general permission to archbishops and bishops to bequeath their possessions,⁴ and this continued to be the practice.⁵ The king required in return for his consent a palfrey, a goblet and a ring from the goods of the deceased.⁶ By the time of Edward I—if not before—the seizure of the possessions of abbots had also ceased.⁷ The king might order the detention of the chattels of a deceased bishop or abbot at the beginning of a vacancy,⁸ but he does not appear to have kept them longer than was necessary to collect the debts owed to the crown.⁹

The right to exact spoils from the lower clergy does not appear to have developed extensively in England. Roger, archbishop of York, who died in 1181, obtained from Alexander III a privilege, which, according to Roger of Wendover, empowered him to take possession of the goods of a clerk under his jurisdiction who should make a will but should die without having distributed his property with his own hands.¹⁰ This enigmatic story may refer to a limited right of spoils, but by the thirteenth century it was customary to allow the lower clergy to make testaments. If one of their number died intestate, the bishop disposed of his possessions by paying his debts and giving the remainder to pious uses. This was the law formulated by the bishop of Worcester.¹¹ In 1268 Ottobon declared in his constitutions that it was the common custom, emanating formerly from the bishops of England with the approval of the barons, that the goods of all intestates should be distributed for the good of their

¹ William of Malmesbury, *Historia Novella*, II, 707, 708; *Gesta Stephani*, pp. 7, 8, 61; Richard of Hexham, *De Gestis*, p. 149; Gervase of Canterbury, *Opera*, I, 105.

² Rymer, *Foedera*, I, 78.

³ Prochnow, *Spolienrecht*, pp. 80, 81.

⁴ *Close Rolls, 1231-34*, p. 518.

⁵ *C.P.R. 1292-1301*, p. 206. Cautious bishops continued to obtain royal license for their individual testamentary dispositions: Prynne, *Records*, II, 636; III, 220; *C.P.R. 1307-13*, p. 391; *Regs. d'Alexandre IV*, 630.

⁶ Makower, *Constitutional History*, p. 248, n. 21; Prynne, *Records*, II, 834; *Red Book of the Exchequer*, III, 1040-42; Hale and Ellacombe, *Account of Executors*, pp. 24, 25; *Regs. of Sandale and Asserio*, p. 305; Exch. K.R. Accounts, 356/5, m. 2; 368/7, fol. 5v.

⁷ Dugdale, *Monasticon*, I, 311; Prynne, *Records*, III, 365, 366. Cf. Pollock and Maitland, *History of English Law*, I, 438.

⁸ Madox, *Exchequer*, I, 313, n. 1.

⁹ *Worcester Sede Vacante Reg.*, p. 82. The practice was subject to abuses, however: *Ann. de Burton*, p. 403.

¹⁰ *Flores*, II, 407.

¹¹ Wilkins, *Concilia*, I, 571, 675.

souls,¹ and decreed that prelates should not receive and occupy the goods of intestates contrary to that provision.² A few years later the clergy of the province of Canterbury informed the pope that it was the time-honored custom for ordinaries to take possession of the goods of intestates and to disburse them according to principles which varied in detail from one district to another.³ The practice extended even to bishops. In 1307 Testa and his colleague, who were administrators of the spiritualities of the archbishopric of Canterbury, ordered the official of the bishop of Worcester to seize the goods of the deceased bishop of Worcester until it should be known whether he had left a will.⁴ In some instances the canons of a chapter could dispose of the chattels of a canon who died intestate, but they had no right to keep the property for themselves.⁵ Aside from the royal right to the spoils of the higher clergy, which was abandoned in the thirteenth century, no local right to the spoils of clerical property appears to have developed beyond an incipient stage in England.

Yet the first known attempt of the papacy to utilize the right of spoils was made in England. According to Matthew Paris, who is our only informant, Innocent IV, actuated by a report that three rich English archdeacons had died intestate, decreed in 1246 that the goods of intestate English clerks should be reserved for the pope. He explained further that a testator who was too ill to express the words of his testament explicitly, but left it to his executors to formulate his desires, should be regarded as intestate. The execution of the mandate he committed to the Franciscans and the Dominicans. Henry III, who was then opposing papal exactions with unaccustomed boldness, forbade the levy, and Innocent IV, contrary to his general attitude with regard to fiscal exactions, withdrew his demand in the next year.⁶

Alexander IV included the goods of all English intestates among the graces which he granted to Henry III in 1256 for the Sicilian venture.⁷

¹ It is generally assumed that this refers to Chapter 27 of Magna Carta: Holdsworth, *History of English Law*, I, 394.

² Wilkins, *Concilia*, II, 11. In 1257 there had been complaint that lords sometimes violated the custom: *Ann. de Burton*, p. 404.

³ 1277: *Reg. of Pontissara*, I, 357. The jurisdiction of the ordinaries in this field was acknowledged by the statute of Westminster: *Statutes of the Realm*, I, 82. It seems to have been acknowledged in practice since 1215 at least: Holdsworth, *History of English Law*, I, 394; Pollock and Maitland, *History of English Law*, II, 357, 360; Gross, 'Medieval Law of Intestacy,' *Harvard Law Review*, XVIII, 123, 124.

⁴ *Worcester Sede Vacante Reg.*, p. 82.

⁵ *Chapter Act Book of Beverley*, I, 249; H.M.C., *Cal. of MSS. of Dean and Chapter of Wells*, I, 31.

⁶ *Chron. Maj.*, IV, 552, 604, 605.

⁷ Rymer, *Foedera*, I, 345.

The grant, however, included only the portion of the goods of an intestate which pertained to the deceased. This was the sum which would be expended by the ordinary in works of piety for the good of the soul of the deceased. In England it ordinarily amounted to a third of the personal property.¹ The grant, therefore, should be associated with the grants to the crusades of legacies indistinctly bequeathed rather than with grants of spoils.² Testators often left a portion of their chattels to be distributed for pious uses according to the discretion of their testamentary executors.³ Gregory IX ordered the executors of such wills to devote these indistinctly bequeathed sums to the particular pious purpose of the crusade,⁴ and for the remainder of the thirteenth century indistinctly bequeathed legacies were often appropriated for crusades by the papacy along with gifts and legacies specifically bequeathed for the Holy Land, though the practice became the subject of English protest before the century ended.⁵

The papal attempts to collect the goods of intestates developed very differently. The demand of Alexander IV was probably one of the graces which failed of approval by the English clergy and never went into effect.⁶ In 1262 Urban IV ordered Leonard of Messina to collect the goods of any clerk dying intestate.⁷ This was apparently an application of the right of spoils. It related only to the clergy and it was not limited to the third used for the soul of the deceased. The proceeds were apparently to be delivered to the pope, though the commission does not exclude the possibility that they were intended for the Holy Land. Henry III protested this demand on the ground that it conflicted with the grant to him by Alexander IV of the goods of intestates, but Urban IV claimed that the king had forfeited the grant by failure to fulfil his contract with regard to Sicily.⁸ Clement IV, in 1266, charged Sinitius with the collection of the goods of intestate clerks in nearly the same words which Urban IV had employed in Leonard's commission.⁹ What success these collectors may have had in the execution of this detail of their duties is not known.

Raymond de Nogaret, whom Gregory X commissioned as general collector on 7 October 1272, was instructed to levy the goods of intestates

¹ Pollock and Maitland, *History of English Law*, II, 362.

² In France, early in the fourteenth century, it was apparently customary for part of the goods of clerks dying intestate to be devoted to the crusade: Lizerand, *Clément V et Philippe le Bel*, p. 287.

³ Matthew Paris, *Chron. Maj.*, IV, 565.

⁴ *Regs. d'Alexandre IV*, 2013.

⁵ Above, pp. 440, 444, 446, 455.

⁶ Above, pp. 283-86.

⁷ *Regs. d'Urban IV*, I, 132.

⁸ *Regs. d'Urban IV*, I, 145.

⁹ *Regs. de Clément IV*, 765.

owed to the apostolic see.¹ The commission did not expressly limit the levy to clerks,² but, according to the annalist of Waverley, the collector announced it in the parliament held at Hilarytide, 1273 as extending only to the property of bishops and other defunct prelates.³ The clause in Raymond's commission was probably intended to give to him the same power that his two immediate predecessors had exercised with regard to the goods of intestate clerks. Raymond unquestionably put this part of his commission into effect. In 1279 the collectors of the sexennial tenth reported that they could not collect it from the goods of certain clerks who had died intestate, because Raymond had occupied them by apostolic authority.⁴ Yet the delivery by Raymond to the papacy of any significant sum derived from this source may be doubted. The most which Nicholas III could say in 1278 concerning a papal right to spoils in England was that the goods of intestate clerks 'are said to have been had, collected and exacted previously in that kingdom in the name of the Roman church and to belong to that church.'⁵ Had the apostolic see received recently any large sum derived from spoils in England, Nicholas III would probably have been more positive in his statement.

On the attitude of the English clergy toward the papal claim to spoils we receive no light until Raymond's successor was appointed. Geoffrey of Vezzano, who was commissioned by John XXI in 1276, also received instructions to collect the goods of intestate clerks.⁶ He proceeded with a vigor which the English clergy regarded as so excessive that they appealed to the apostolic see. They objected to his interference with the probate and execution of wills rightly made, but their chief protest was directed against the exaction of the goods of intestates and of the indistinct legacies of testators, which interfered with the right of the ordinaries to dispose of such goods.⁷ Nicholas III felt enough doubt about his right to the goods of intestate clerks to order Geoffrey to suspend their collection while he sought further information, but he did not stop the collection of indistinct legacies for the crusades.⁸ Whether Nicholas III reached any final decision before the close of his pontificate in 1280 is un-

¹ Worcester Diocesan Registry, Reg. of Giffard, fol. 37v.

² The omission of the qualifying 'clericorum' may have been due to a copyist's error. The scribe became confused and made one erasure in the midst of the passage.

³ P. 380.

⁴ Lunt, 'A Papal Tenth,' *E.H.R.*, xxxii, 85.

⁵ *Regs. de Nicolas III*, 55.

⁶ The original commission is lacking, but it was so defined by Nicholas III: *Regs. de Nicolas III*, 55. See also Worcester Diocesan Registry, Reg. of Giffard, fol. 70v.

⁷ *Reg. of Pontissara*, i, 357; Lunt, *Papal Revenues*, i, 104; ii, 391-93.

⁸ *Regs. de Nicolas III*, 55; Lambeth Palace Library, MS. 1212, p. 296; Worcester Diocesan Registry, Reg. of Giffard, fol. 80v.

known. The commission which Geoffrey received from Martin IV did not mention the goods of intestate clerks,¹ and his commission from Honorius IV is lacking. Nicholas IV authorized him to collect the goods of intestate clerks, and in 1296 Boniface VIII renewed the commission.² In 1297 the English clergy again protested the papal levy of this due.³ What answer they received is not known,⁴ but in the commission of Gerard of Pecorara, who was the next general collector, no mention of the goods of intestates was made, though it specified the powers of the collector in greater detail than usual.⁵ Nor was the tax included in Gerard's report.⁶ At the parliament of Carlisle in 1307 another protest was made against the papal demand of the chattels of intestates, but it seems to have been a case of misplaced energy. Testa had not been commissioned to collect them.⁷ Apparently the mistake was recognized in parliament, for the complaint, which appeared in the petition to the king, was omitted not only from the petition to the pope but also from the charges formulated against Testa.⁸ The papal claim to the goods of intestate English clerks was not again revived before 1327. It appeared in none of the commissions issued to Testa's successors,⁹ and neither he nor Rigaud d'Assier reported any receipts from the chattels of intestate clerks.¹⁰ The intermittent attempts of the papacy between 1246 and 1296 to establish a general right to the spoils of intestate English clerks not only ended in failure but they also appear to have been of little financial profit to the papacy while they lasted.

During this period the papacy was exercising a right to spoils within a more limited field without opposition. In 1262 Urban IV asserted that the goods of clerks dying intestate at the apostolic see belonged to the Roman church by approved custom. How long the custom had existed

¹ Worcester Diocesan Registry, Reg. of Giffard, fol. 144. Both Martin IV and Honorius IV refused to grant the goods of intestates to Edward I for a crusade: Papal Bulls, 28/9; *Cal. Pap. Regs. Letters*, I, 480.

² Specified in the commission of Boniface VIII which purports to authorize him to collect the same dues which Nicholas IV had empowered him to levy: *Reg. of Swinfield*, p. 341. The commission of Nicholas IV is lacking. In 1291 the English clergy asserted that money collected by divers apostolic nuncios for the Holy Land from the goods of intestates was still deposited in England: Cotton, *Historia*, p. 209.

³ *Reg. of G. Giffard*, p. 490; Lambeth Palace Library, Reg. of Winchelsea, fol. 310.

⁴ Some of the other grievances included in the petition were not remedied: Graham, *Ecclesiastical Studies*, pp. 311-16.

⁵ *Regs. de Benoît XI*, 1213-22.

⁶ Lunt, 'Account,' *E.H.R.*, xxviii, 318-21. He mentions the goods of Geoffrey of Vezzano who died intestate, but they were being collected for another reason: below, p. 512.

⁷ Except in the case of Geoffrey of Vezzano: *Reg. of Gandavo*, pp. 201-5.

⁸ Lunt, 'William Testa,' *E.H.R.*, xli, 338, 339.

⁹ Below, pp. 622-24.

¹⁰ Lunt, 'William Testa,' *E.H.R.*, xli, 352-57; below, pp. 682-84; *Introitus et Exitus* 15.

previously is not known, but its subsequent use is well attested. The goods of such intestates were administered by the keeper of the cameral auditor's seal, and it was sometimes necessary to appoint a local executor in addition.¹

Few instances of the application of this custom to English clerks before 1327 have come to my attention. In 1278 Robert Kilwardby, archbishop of Canterbury, was promoted to the cardinalate. His death at the papal court in the next year resulted in the confiscation of his personal effects for the papal camera. Though he was no longer an English prelate, his chattels included money, vases, jewels, ornaments, books and registers said to be worth 5,000 marks, which Pecham, his successor in the archbishopric, claimed were the property of the see of Canterbury.² Geoffrey of Vezzano, who retired from office in 1300, after he had served as collector in England for nearly twenty-five years, died soon afterward at the Roman court. Since he left no will, his goods were taken for the papal camera.³ Part of them were still in England, and John Bonichi, who was assisting Bartholomew of Ferentino in the collection of papal tenths, and Algutio de Bredine of the hospital of Santo Spirito in Sassia of Rome were appointed to help the Spini secure them for the camera.⁴ John recovered 205 marks from the arrears of Geoffrey's procurations, the fruits of his English benefices and loans which he had made, and delivered the sum to the cameral merchants.⁵ He left a balance still due, but Gerard of Pecorara and William Testa, who were successively commissioned to collect it,⁶ appear to have been unsuccessful.⁷ Raymond de Got, cardinal deacon of Santa Maria Nuova, who died in 1310, was at first thought to be intestate.⁸ William Testa was therefore appointed one of two commissioners to collect the debts owed to him from his English benefices. He obtained £129 9s. 2d.,⁹ but since it was later discov-

¹ Lunt, *Papal Revenues*, I, 104-6.

² Cave-Browne, *Lambeth Palace*, p. 64; *Reg. of Peckham*, I, 227, 228; II, 550; III, 1058. Pecham tried to recover them, but with what success is not apparent. Cf. Sutcliffe, 'Financial Conditions,' *Speculum*, x, 60.

³ *Reg. de Benoît XI*, 1213.

⁴ John's report to the camerarius, dated 18 October 1301, is Inst. Misc. 325. It is published by Baethgen, 'Quellen,' *Q.u.F.*, xx, 233. One of his executory letters is dated 23 February 1301: Muniments of Dean and Chapter of Lincoln, D II 60. 2. 9.

⁵ Zaccagnini, 'Un Frammento,' *Bullettino Storico Pistoiense*, xxiii, 164; Introitus et Exitus 5, fols. 2^v, 6.

⁶ *Reg. de Benoît XI*, 1213; *Reg. of Gandavo*, p. 202.

⁷ Lunt, 'Account,' *E.H.R.*, xxviii, 321; *idem*, 'William Testa,' *E.H.R.*, xli, 352-57; below, p. 683. John reported that some of it was already deposited with Italian merchants, whence the camera may have recovered it without the intervention of the collectors.

⁸ *Cal. Pap. Regs. Letters*, II, 69, 73, 93.

⁹ *Ibid.*, II, 12, 38, 69, 73; Lunt, 'William Testa,' *E.H.R.*, xli, 355.

ered that Raymond had arranged during his life for his property to be given to the pope,¹ he probably should not be regarded as intestate. In 1307 Richard, prior of Durham, died at the papal court. All of his personal property, which included horses, silver, vases, books and jewels, was confiscated by the papal camera.² Although these may not have been all the clerks who died at the papal court in possession of personal property in England, the number probably was not large. The revenue which the papacy received from England before 1327 as a consequence of this reservation of the goods of intestates was comparatively insignificant.

Another method by which the papacy obtained a revenue from spoils was by the reservation of them in the cases of individual prelates who died elsewhere than at the papal court. A special reservation of this type was made by Boniface VIII, and during the pontificate of John XXII such reservations became frequent.³ They might be applied to the goods of clerks who had made wills bequeathing property to other than pious purposes as well as to the goods of intestates.⁴ Naturally the wealthier prelates were usually selected for this demonstration of papal esteem.⁵ I have found no instance previous to 1327 of the reservation of the goods of any English prelate in this manner.

2. GIFTS AND LEGACIES

The earliest recorded income received from England by the papacy was in the form of gifts made by the faithful Anglo-Saxons to St Peter and his see. Within a century of their conversion the Anglo-Saxons began to display for the apostolic see a strong attachment which sometimes found expression in voluntary offerings. As early as 667 King Oswy of Northumbria sent presents to Pope Vitelian,⁶ and several later Anglo-Saxon kings performed similar deeds of munificence.⁷ Some of the kings further expressed their devotion to St Peter by visiting the holy places at Rome,⁸ and their subjects followed their example freely.⁹ So common did the practice be-

¹ *Cal. Pap. Regs. Letters*, II, 93.

² *Historiae Dunelmensis Scriptores Tres*, p. 84.

³ Lunt, *Papal Revenues*, I, 105.

⁴ Samaran, 'La Jurisprudence pontificale,' *M.A.H.*, XXII, 141.

⁵ See the list given by Göller, *Einnahmen unter Johann XXII*, pp. 110*-12*.

⁶ Bede, *Historia*, III, 29. The papal letter of acknowledgment is dated 667 by Plummer (edition of Bede, II, 200) and by Haddan and Stubbs (*Councils*, III, 110) and 665 by the editors of Jaffé's *Regesta* (2089).

⁷ Haddan and Stubbs, *Councils*, III, 445, 521-23, 538; Asser, *Gesta*, p. 15. An abbot sent presents to the pope in 701: Jaffé, *Reg.*, 2138.

⁸ Bede, *Historia*, V, 7, 19; Asser, *Gesta*, p. 9; *Anglo-Saxon Chronicle*, I, 105, 124, 125; II, 57; Jensen, 'Denarius sancti Petri,' *T.R.H.S.*, new series, xv, 171-74.

⁹ Bede, *Historia*, IV, 23; V, 7; *idem*, *Biographical Writings*, pp. 97-100; Jung, 'Das Itinerar des

come that in 796 Offa II of Mercia obtained from Charles the Great permission for Anglo-Saxon pilgrims who were bound to and from Rome to travel in peace through his dominions, provided they did not engage in trade upon the way.¹ By that time Anglo-Saxons were living in the Trastevere region of Rome in such numbers that their colony was known as the *Schola Saxonum*.² Since the pilgrims were of many walks of life,³ the poorer may have come empty-handed, but the wealthier sometimes bore rich gifts for the occupant of the chair of St Peter.⁴

The stream of gifts which had its source in the enthusiastic faith of early Anglo-Saxon Christians continued to flow throughout the course of the long period under consideration. The kings were generous givers. Cenulf of Mercia sent 120 mancuses to Leo III in 798.⁵ Ethelwulf of Wessex left offerings on the altars of the churches which he visited on a pilgrimage to Rome,⁶ and he bequeathed money to the papacy in his will. Alfred frequently dispatched to Rome alms which were probably Peter's pence.⁷ Possibly his successors regarded Peter's pence as a perpetual gift which supplied sufficient testimony of the esteem in which they held the successive representatives of St Peter, for we hear less about additional royal donations for a long time after Alfred's reign. Canute, when he went to Rome, made the customary offering of gold and silver to St Peter.⁸ William the Conqueror notified the pope of the success of his invasion of England by rich presents drawn from the spoils of his conquest.⁹ Henry II sent nuncios to the council of Tours commissioned to deliver tokens of the royal generosity to Alexander III,¹⁰ and later he responded to the expressed needs of the exiled pope with another royal donation, though he was reimbursed for the second gift by the English clergy.¹¹ Doubtless other kings who reigned between 900 and 1216 expressed their devotion to the apostolic see in a similar manner. The three kings who occupied the throne from 1216 to 1327 remembered the pa-

Erzbischofs Sigeric,' *M.O.G.*, xxv, 17; Meissner, *Celtic Church*, p. 98; Allison, *English Religious Life*, pp. 32-35.

¹ William of Malmesbury, *Gesta Regum*, I, 128, 129.

² *Liber Pontificalis*, II, 36, n. 27.

³ Bede, *Historia*, v, 7.

⁴ *Ibid.*; *Liber Pontificalis*, II, 148, 161, 162; Fabre, *Étude*, p. 129, n. 4; Jensen, 'Denarius Sancti Petri,' *T.R.H.S.*, new series, xv, 173, 174; Jung, 'Das Itinerar,' *M.O.G.*, xxv, 20.

⁵ Haddan and Stubbs, *Councils*, III, 523, 538.

⁶ Plummer, *Life of Alfred*, p. 76; above, p. 10.

⁷ Above, pp. 4, 28.

⁸ Florence of Worcester, *Chron.*, I, 185.

⁹ Above, p. 32; William of Poitiers, *Gesta Willelmi*, ed. Giles, p. 144.

¹⁰ Draco Normannicus, p. 743.

¹¹ Above, pp. 176, 177.

pacy with valuable presents. Henry III conferred 500 marks upon Honorius III.¹ Edward I made a gift to Nicholas IV,² sent jewels to Boniface VIII on his accession,³ and presented Clement V at the time of his consecration with jewels valued at more than £1,300.⁴ Edward II greeted John XXII upon his assumption of the tiara with gifts which were rumored at Avignon to have been worth 30,000 florins,⁵ and in 1326 he offered the pope 5,000 florins.⁶ It appears to have been becoming customary for English kings to express their compliments to new popes by means of valuable presents.

From time to time English prelates gave or bequeathed money to the pope. In 1214 Nicholas, bishop of Tusculum, who was legate to England, was endeavoring to secure from the executors of Geoffrey, archbishop of York, the sums of 1,000 marks left to the pope and 500 marks left to the cardinals by the deceased archbishop.⁷ The papal collector, Rostand, who still had property in England at the time of his death, made a bequest to the papal camera, which Urban IV commissioned his collector, Leonard, to recover.⁸ Gregory X had reason to assume in 1272 that Boniface, archbishop of Canterbury, and John Mansel, a papal chaplain, had both provided in their wills for gifts to the Roman church.⁹ John of Pontoise, bishop of Winchester,¹⁰ bequeathed 100 marks to the Roman church and the college of cardinals.¹¹ For some reason delivery of the bequest was delayed for many years.¹² In 1319 Rigaud d'Assier was commissioned to obtain it from the executors,¹³ and in the next year the papal camera finally received the money.¹⁴ These illustrations indicate that the papal collector was customarily charged with the collection of bequests.¹⁵

¹ 14 January 1224: *Rot. Lit. Claus.*, I, 581.

² Rymer, *Foedera*, I, 752.

³ Treasury of Receipt, Misc. Bk. 202, fol. 25.

⁴ Exch. K.R. Accounts, 367/6, m. 1; Rishanger, *Chronica*, p. 227.

⁵ Lunt, 'Clerical Tenths,' *Haskins Anniversary Essays*, p. 170.

⁶ Above, p. 412; *Cal. Pap. Regs. Letters*, II, 477.

⁷ AA. Arm. I-XVIII, 3102; Mercati, 'La prima Relazione,' *Essays to R. L. Poole*, p. 288.

⁸ *Regs. d'Urbain IV*, I, 138, 140.

⁹ *Cal. Pap. Regs. Letters*, I, 444.

¹⁰ Kirsch assumed erroneously that John de Sandale, who died on 2 November 1319, was the testator: *Finanzverwaltung*, p. 38. Rigaud, who collected the bequest, named John of Pontoise: *Introitus et Exitus* 15, fol. 46^v.

¹¹ In Oblig. 11, fol. 10^v. the sum is given erroneously as 1000 marks: Baumgarten, *Untersuchungen*, p. 187; Kirsch, *Finanzverwaltung*, p. 38, n. 4.

¹² Possibly because his property was seized for debts owed to the crown: Thorne, *Chron.*, trans. by Davis, p. 386.

¹³ *Cal. Pap. Regs. Letters*, II, 190, 425.

¹⁴ Schäfer, *Ausgaben*, p. 406.

¹⁵ For other examples see *Cal. Pap. Regs. Letters*, II, 93, 483.

An odd bequest was made to the Roman church and the pope in 1289. Amaury de Montfort, son of the famous Simon, was captured in 1274 and thereafter detained by Edward I.¹ Since Amaury was not only a clerk but also a papal chaplain, successive popes strove to secure his release.² It may well have been gratitude for these efforts which caused Amaury to bequeath to the pope his 'actiones et iura hereditaria' in the earldoms of Leicester and Chester.³ The act was a mere gesture, since the earldom of Leicester, which had been forfeited by Simon, had been conferred upon Edmund, the king's brother, and the palatine county of Chester was in the hands of the king himself.⁴ It gives small cause for wonder that Amaury's gift was still listed in an inventory of debts owed to the apostolic camera compiled in the time of Urban V.

In addition to large gifts of these types made by the wealthy, the popes continued to receive oblations left by English visitors on the altars of the papal churches in Rome. Anglo-Saxons never ceased to go to Rome on pleasure and business,⁵ and the Anglo-Saxon coins of the tenth and eleventh centuries preserved in a forgotten hoard in the church of San Paolo fuori le Mura give rise to the assumption that the travellers left generous gifts in the churches associated with the apostles.⁶ After the Norman conquest and the Hildebrandine centralization of the church, the intercourse between England and Rome quickened. Though the evidence does not permit the positive assertion that the value of the oblations brought by Englishmen grew proportionately, the presence of English sterlings among the offerings placed upon the altars of St Peter's during 1285 and 1286⁷ demonstrates that this source of income had not run dry.

Gifts of quite another type were those made in expectation of desired favors or in return for favors received. It is not always possible to distinguish between gifts inspired solely by veneration or devotion and those actuated by more material considerations, since the classification rests upon the motive of the giver.⁸ Some presents were doubtless the result of mixed motives. The large donations made by Edward I to Clement V and by Edward II to John XXII were probably in part customary expressions of courtesy and goodwill toward new popes and in part gratui-

¹ Pearson, *England during the Early and Middle Ages*, II, 320; Prynne, *Records*, III, 817.

² *Cal. Pap. Regs. Letters*, I, 417, 452, 461, 463; Prynne, *Records*, III, 817.

³ Arm. xxxv, 140, fol. 23v; Göller, 'Inventarium,' *Römische Quartalschrift*, XXIII, 99.

⁴ Tout, *History of England, 1216-1377*, p. 129.

⁵ *Anglo-Saxon Chronicle*, II, 92, 93, 104, 107, 108, 114, 125-27, 132, 141, 143, 156, 161.

⁶ Above, pp. 29, 30.

⁷ Fabre, 'Les Offrandes,' *M.A.H.*, XIV, 233-40.

⁸ See the classification of gifts by Giraldus Cambrensis, *Opera*, II, 313-15.

ties designed to prepare the way for a favorable hearing of royal petitions.¹ Payments which were manifestly in the nature of gratuities have been described in connection with the attempt of Honorius III to do away with them and in the sections dealing with the common and secret services, and the illustrations might be multiplied. The establishment of the common service converted the gifts associated with the papal confirmation or appointment of higher prelates into a stabilized tax, and thus ended the necessity for the payment of gratuities in this connection to the pope himself, excepting the brief period when secret services obtained, but it did not stop the tender of presents by those who sought other kinds of favors. In 1299, for example, the clergy of the province of Canterbury sent a present of 2,000 marks to Boniface VIII in the hope of obtaining a favorable answer to their petition of 1297.² It is worthy of note that their hope appears to have remained unfulfilled,³ because some chroniclers had a habit of implying that gifts were in some instances bribes for graces received.⁴ The argument that a present given by a suitor who obtained a desired favor was a bribe can be accepted only as reasoning 'post hoc propter hoc,' unless it has more definite support than the loose statement of an indignant chronicler or a professional satirist, but the documents associated with the private service pledged by Richard de Kidington, abbot of Westminster,⁵ and the expenditure at Rome by John of Pontoise of 2,000 marks contemporaneously with papal grants of favors which included his exemption from the archbishop of Canterbury as long as he remained bishop of Winchester⁶ leave one to wonder if the charge may have contained a grain of truth in some instances under some popes.⁷ Against this possibility should be set the generous givers and promisers of

¹ Above, pp. 382, 402, 488, 515.

² Above, pp. 62, 352, 511.

³ Graham, *Ecclesiastical Studies*, p. 313.

⁴ Above, pp. 180-82; *Anglo-Saxon Chronicle*, II, 143; Hugo of Flavigny, 'Chron.,' *M.G.SS.*, VIII, 475; Monk of Malmesbury, *Vita*, p. 197; Adam Murimuth, *Continuatio*, p. 174; Wright, *Political Songs*, pp. 324, 325; Thorne, *Chron.*, trans. by Davis, p. 358; *Ann. de Wintonia*, p. 55; *Ann. de Waverleia*, p. 399; *Ann. de Dunstaplia*, p. 67; *Flores Historiarum*, III, 156; Hemmingburgh, *Chron.*, II, 243.

⁵ Above, pp. 480, 481.

⁶ *Cal. Pap. Regs. Letters*, I, 569-71.

⁷ Barraclough's assertion that the popes of the later thirteenth and the fourteenth centuries had special accounts of their receipts from gifts and bribes ('Making of a Bishop,' *Catholic Historical Review*, XIX, 302) seems to me to rest upon an inadequate foundation. He supports it by reference to the description of a register contained in an inventory of 1311 which reads: 'Chartularium in quo sunt scripta aliqua servitia facta domino Bonifatio et expense facte per receptorem ipsorum': Baethgen, 'Quellen,' *Q.u.F.*, XX, 193, n. 1. The register may have related to gifts or private services, but it may have related to common services, and the assumption that it may have related to bribes seems to have no warrant.

gifts, who, chroniclers tell us, withdrew from the papal court without boons which they had sought.¹

The value of the gifts received by the papacy from England cannot be estimated, because it is obviously impossible to construct a complete list of them. In the pontificate of John XXII, when the records of the camera first became abundant, the receipt of many gifts and legacies was noted in the *Introitus* and *Exitus* registers, but the only one from England previous to 1327 was that of 5,000 florins from Edward II, which was entered because the pope accepted it not as a gift but as an instalment on the quarter of a tenth which the king owed. The bequest of John of Pontoise was mentioned in an *Obligaciones et Solutiones* register, but the rich present given by Edward II in 1317 did not reach the pages of either series. Possibly it followed the same course as the gift of 6,000 florins made later by Robert Wyville, bishop of Salisbury, which went into the papal privy purse and left no trace on the cameral records.² The receipts from oblations left in the churches of Rome were not ordinarily entered in the *Introitus et Exitus* registers, and if we had the record, the portion given by Englishmen could not be distinguished. Much more was given to the papacy by Englishmen than appears in extant records, but it may be doubted if this income was relatively of much importance compared with the other revenues derived from England. Though some of the known gifts were large, the unknown gifts would have had to run to a very large total indeed in order to render the annual average receipts from this casual source of supply of primary significance in the fiscal relations of the papacy with England.

Gifts to the pope were not the only ones made at the papal court by Englishmen who transacted business there. After the failure of Honorius III to stop gratuities,³ they continued as before. Even the establishment of the service taxes did not relieve the prelates who sought confirmations, appointments, consecrations or benedictions from the pope of the necessity of paying some gratuities to members of the court who took part in the conduct of the business. In the time of Clement V the gift which a prelate consecrated at the Roman court was held by ancient custom to make consisted of the horse which he rode to the ceremony and its cover, the cope which he wore, and one of the silver basins and the towel used in the rite. These gratuities were divided among the

¹ *Anglo-Saxon Chronicle*, II, 108; *Materials for the History of Becket*, III, 397; IV, 61; Hugh the Chantor, *History*, pp. 143, 144, 147, 205; *Ann. de Wintonia*, p. 99; *Ann. de Waverleia*, p. 390. See also Monk of Malmesbury, *Vita*, p. 199.

² Göller, *Einnahmen unter Johann XXII*, p. 117*.

³ Above, pp. 178-86.

camerarius, the cameral clerks, the servants at arms and the keepers of the napery.¹ In 1303, when an abbot of St Albans was confirmed, he rendered various payments to members of the court above and beyond the common, petty and private services. Though the nature of some of them cannot be determined, some were fees paid to the clerks of the chancery and some were gratuities paid to cardinals and to others.² Gratuities were commonly given to clerks of the chancery above the amount of the regular fees in order to avoid the danger of vexatious delays in the expedition of desired bulls.³

In addition to gratuities of this type, which appear to have been more or less necessary for the transaction of business, gifts of a more voluntary nature were often made for the purpose of facilitating the affairs which a petitioner desired to promote. The nature of such presents may be illustrated by a few examples. A nuncio of Henry I distributed gifts to members of the papal court who would support the postponement of the promulgation of a papal sentence against his master.⁴ Henry himself gave many presents to papal clerks when he visited the pope in France.⁵ Gervase of Canterbury implied that Henry II obtained from a papal legate in 1175 a favorable decision concerning the trial of clerks in lay courts by the use of gold.⁶ Henry II also made gifts to papal legates during the course of the controversy with Becket. One legate who refused to accept them was commended by Herbert of Bosham as a paragon of virtue.⁷ The bishop of Ely, whom Richard I appointed regent, was said to have sent a large sum to Rome when he sought the office of papal legate in England,⁸ but he was actually named legate by the pope in response to a royal petition.⁹ The bishop of Hereford who had a judicial cause before the papal court in 1281 sent to his proctor an order for £100 to be used mainly for gratuities. He gave explicit instructions, which were based upon consultation with others, concerning the amounts to be given to specified cardinals and officials of the curia. He hesitated to offer money to the pope, but authorized the proctor to do it, if the case should appear to be in danger.¹⁰ When the clergy of the province of Canterbury sent a gift to the pope in the hope of obtaining a favorable reply to their

¹ Lunt, *Papal Revenues*, II, 248, 249.

² Lunt, *Papal Revenues*, II, 244, 245; above, p. 475.

³ *Gesta Abbatum*, II, 57; *Worcester Sede Vacante Reg.*, p. 42; Exch. K.R. Accounts, 308/6.

⁴ Eadmer, *Historia*, p. 111. See also earlier instances above, p. 182.

⁵ Ordericus Vitalis, *Historia*, p. 933.

⁶ *Opera*, I, 257.

⁷ *Materials*, III, 413, 443-45.

⁸ William of Newburgh, *Historia*, I, 331.

⁹ Ralph of Diceto, *Opera*, II, 83.

¹⁰ Offer, *The Bishop's Register*, pp. 185-90.

petition of 1297, they accompanied it with lesser gifts for several cardinals.¹ A proctor of the bishop of Worcester wrote from Rome in 1302 to the prior, who was then guardian of the vacant episcopal see, that another proctor of the bishop had stopped the passage of a bull through the sealing department in order to recover the arrears of his salary. When the question of his salary came into litigation before an auditor of causes, the proctor who wrote the letter sent a large present to the auditor in the hope that the release of the bull might thus be secured.² Edward I, when he was negotiating for the grant of a tenth in 1290, gave over £1,400 to four cardinals,³ and in 1307 he sent jewels worth over £200 to be distributed among cardinals, notaries and clerks.⁴ Beginning with Henry III, moreover, the kings kept a number of cardinals and an occasional notary or other curial clerk on their permanent pension lists.⁵ They also provided many relatives of popes and cardinals with benefices, pensions or other favors.⁶ The archbishops of Canterbury and York also paid pensions to some cardinals.⁷

Though the amount of the individual gratuity was not ordinarily large, the number of them paid by Englishmen must have mounted steadily with the increase of the business which both clergymen and laymen carried to the papal court. It would be idle to speculate upon the total of their monetary value, since they were by nature payments of which no systematic written records were kept. Indeed, it may be surmised that the attempt of Innocent IV to have the principal notified of any gifts of more than twenty shillings made by his proctor⁸ met with little success, since so few notifications of the sort appear to have survived. The value of the gifts was, however, of less importance than the vexation which they caused. In the twelfth century and the early years of the thirteenth the greed of the papal courtiers was a popular theme with many writers in England,⁹ it was a favorite subject for polemics with Matthew Paris,¹⁰

¹ Graham, *Ecclesiastical Studies*, p. 313.

² *Worcester Sede Vacante Reg.*, pp. 41, 42.

³ Exch. K.R. Accounts, 352/21. m. 4; Chancery Misc., 4/5, mems. 7, 7^v.

⁴ Exch. K.R. Accounts, 370/5.

⁵ *Pat. Rolls 1225-32*, p. 121; *C.P.R. 1232-47*, p. 207; 1262-66, p. 565; 1272-81, pp. 253, 336, 337; 1292-1301, pp. 188, 608; 1301-7, p. 107; 1307-13, pp. 105, 269; 1317-21, pp. 50, 343, 433; Prynn, *Records*, III, 246, 274, 345, 375, 677, 899, 1013; Deputy Keeper, *Seventh Report*, app. II; 270, 271; Palgrave, *Antient Kalendars*, I, 84; Rymer, *Foedera*, II, 69, 308, 348; Devon, *Issues*, p. 115; Exch. K.R. Accounts 352/22; 375/8, inside cover.

⁶ *Pat. Rolls 1216-25*, pp. 7, 530, 543; *C.P.R. 1232-47*, p. 5; 1258-66, pp. 60, 108; 1307-13, p. 83; 1317-21, pp. 46, 47; Deputy Keeper, *Seventh Report*, app. II, 249.

⁷ Sutcliffe, 'Financial Condition,' *Speculum*, x, 59, 60; *Priory of Hexham*, I, app. p. xxix.

⁸ Lunt, *Papal Revenues*, II, 237.

⁹ Above, pp. 180-84.

¹⁰ *Chron. Maj.*, III, 374, 412, 446, 608; IV, 100, 137, 368, 410, 546-49, 561, 590, 591; V, 38, 67, 97, 98, 406, 407, 456.

and to the end of the period under survey it continued to be exploited occasionally. 'The venal court of Rome' of a chronicler of St Albans¹ and the plaint of the monk of Malmesbury that 'Lady Money accomplishes all business in the curia'² are echoes from the reigns of Edward I and Edward II of a sentiment which found expression more frequently in the twelfth century. We have also more sober testimony to the continued existence of a belief that pecuniary corruption was to be found in the papal court. In 1318 Edward II complained that some who went to the court for confirmations of their elections were captiously accused and subjected to superfluous delays and litigation unless they would pay their accusers a high price, and he requested John XXII to punish and expel from his court those whom William Testa or Englishmen living at the papal court should designate as guilty of such practices.³ But by the middle of the thirteenth century the popular critics of the fiscal policies of the papacy were beginning to devote their attention chiefly to the taxes which the popes were imposing upon the English clergy.⁴ Subsequently tenths, annates, common services, reservations of bishoprics, procurations of papal envoys, the misappropriation of funds raised for the Holy Land and subjects of like nature received a larger share of attention from chroniclers and satirists than the greed and venality of the papal court.⁵ Unless this situation was purely fortuitous, it would seem that public opinion had become more reconciled to the system of gratuities prevalent at the papal court, or that the increasing burden of papal taxation had gradually pushed it into the background as the most appropriate subject on which to hang expressions of dissatisfaction with papal fiscalism.

3. CHANCERY FEES

Many Englishmen had to pay the fees which the papal chancery charged for the writing and expedition of papal letters.⁶ Though the practice may have been older, the first examples of such fees come from the pontificate of Innocent III.⁷ Alexander IV published a list of the fees to be charged for certain types of letters and laid down the rule that the clerks of the chancery known as distributors should assess the fees for other

¹ Rishanger, *Chronica*, p. 446.

² *Vita*, p. 197. See also the poem on the evil times of Edward II edited by Wright, *Political Songs*, pp. 324, 325.

³ Rymer, *Foedera*, II, 371.

⁴ E.g., *Ann. de Burton*, p. 323; Wright, *Political Poems*, pp. 42-44.

⁵ E.g., above, pp. 302, 303, 349, 350, 394, 460, 478, 480, 489.

⁶ E.g., *Landboc de Winchelcumba*, I, 111; Lunt, *Papal Revenues*, II, 245, 498; Exch. K.R. Accounts, 369/11, fol. 34.

⁷ Tangl, 'Taxwesen,' *M.O.G.*, XIII, 5; *idem*, *Kanzleiordnung*, p. xxx.

types of letters with due consideration for the prices which were definitely established.¹ The comparative standard which the distributors were meant to take into consideration was probably the length of the respective letters. In a constitution issued by John XXII in 1316 the fees for several types of letters were specified and the principle was stated that the amount of the fee for other letters was to be determined by the length of the letter and not by the size of the favor granted. The general charge was fixed at a quarter of a grossus for each line.² Between the two pontificates the variety of letters sought from the papal chancery increased notably. Without much doubt the fees for many common types of letters not found in the list of Alexander IV became fixed in practice during the interval, and possibly one new list or more was issued.³ In 1331, shortly after the close of our period, John XXII issued a new list which contained 415 items.⁴

The fees were moderate except for a few items. In the list of Alexander IV several types of letters were assessed at less than a shilling, and the highest fee was ten shillings. Later the price tended to increase, but in the list of 1331 most of the items ranged between slightly less than one florin and two florins. The higher prices were mainly for longer letters, though the nature of the favor or the wealth of the recipient may have entered into the computation of a few of the largest fees.⁵ The recipient of the letter, however, had to pay more than the one listed fee. A separate fee was exacted by each of the four bureaus in charge of constructing the rough draft of the letter, engrossing it in final form, sealing it and registering it. The amount paid to each was usually the same, though there were variations for some types of letters.⁶ Correspondence concerned with papal business and letters issued for certain officials of the papal court were exempt from fees. Letters might also be expedited free of charge or at a reduced rate for petitioners who advanced the plea of poverty.

The income from the fees of the chancery increased steadily after the pontificate of Innocent III with the growth in number and variety of the privileges, dispensations, provisions, indulgences and other letters which petitioners sought from the pope. The fees were assessed and collected by members of the staff of the chancery. They were used mainly for the maintenance of officials of the chancery and other departments of the papal court, but a part of the fees received for sealing the letters was de-

¹ Tangl, *Kanzleiordnung*, pp. 60, 61.

² *Extravag. Ioannes*, tit. XIII, cap. un.

³ Tangl, 'Taxwesen,' *M.O.G.*, XIII, 11, 12.

⁴ *Ibid.*, pp. 75-103.

⁵ *Ibid.*, p. 21; Haller, *Papsttum*, p. 104.

⁶ Tangl, 'Taxwesen,' *M.O.G.*, XIII, 52-59; Lunt, *Papal Revenues*, II, 245.

livered to the papal camera to be applied to ordinary expenditures.¹

The total amount of the fees which Englishmen may have paid between 1198 and 1327 cannot be estimated even approximately. The first two volumes of the *Papal Letters* in the *Calendar of Entries in the Papal Registers relating to Great Britain and Ireland* probably illustrate the rate at which the number of taxable letters issued to the inhabitants of England increased, but many such letters were expedited without registration and consequently do not appear in the *Calendar*.² The amount of the fee was indicated on the original letter, but few originals have been preserved. Lacking knowledge of the exact fees charged in most instances, it is often impossible to estimate the fees charged for a given letter before the list of 1331 classified the types of letters by formulae in some detail. The English chroniclers and satirists, who left few aspects of the papal fiscal system free from adverse criticism, found little to say specifically concerning the system of chancery fees. Though they may have had them in mind when they complained in general terms of the undue cost of the transaction of business at the papal court, the gratuities appear to have been at the forefront of their thought.³ The fees charged by the chancery previous to 1327 did not constitute a heavy or an unreasonable burden, and the revenue which they yielded from England did not run to a large sum, though during an occasional year—particularly during the pontificate of John XXII—the income from them may have exceeded the receipt from Peter's pence.

4. PENITENTIARY FEES

The papal penitentiary also charged fees for the letters which it issued. The earliest known official list of these fees was compiled in 1338,⁴ but fees were being exacted earlier in the fourteenth century.⁵ Like those of the chancery, they were based upon the labor involved in writing the letters and not upon the nature of the business contained in them,⁶ though the rate of the penitentiary fees seems to have been slightly higher than that of the chancery fees.⁷ Though penitents could obtain absolution for certain types of sin only through the agency of the papal penitentiary, the papal and English episcopal registers give the impression that the Eng-

¹ Lunt, *Papal Revenues*, I, 125-28; II, 501.

² In addition to those listed in Potthast's *Regesta* there are many others.

³ In addition to the references given above, pp. 179-82, see *Latin Poems commonly attributed to Walter Mapes*, pp. 169, 219; Matthew Paris, *Chron. Maj.*, IV, 14.

⁴ Denifle, 'Die älteste Taxrolle,' *Archiv für Literatur-und Kirchengeschichte*, IV, 201-36.

⁵ Göller, *Die päpstliche Pönitentie*, II, pt. 1, 137-39.

⁶ Lunt, *Papal Revenues*, I, 128, 129.

⁷ Lea, 'Taxes of the Papal Penitentiary,' *E.H.R.*, VIII, 432.

lishmen who went to the papal court seeking pardon during the fourteenth century before 1327 did not constitute a large throng. The income from England for penitentiary fees was probably an item of slight value.

5. FEES AND FINES FROM JURISDICTION

The papacy also received fees from the cases which were tried in its courts, and in some classes of cases the courts imposed fines on those who were convicted. After the controversy between Henry II and Becket, appeals from England to Rome became common.¹ As far as I know, no list of the fees exists, and the specific examples of fees or fines which have come to my attention are too few to provide any basis for the formation of a general estimate concerning the cost of suits.² In the twelfth century several English writers and at least one litigant complained of the cost of suits at the papal court, but a large part of the expenditures may have been for the fees of attorneys and for gratuities.³ In 1249 the abbot of Tewkesbury was condemned before the pope for contumacy concerning a papal provision to a church in the patronage of himself and the convent to pay a fine of 100 marks,⁴ but from this isolated example no valid inference can be drawn with regard to the frequency or the amount of such fines. In the cameral registers of John XXII the number of individually listed condemnatory fines which the camera received was small, and none came from England. The pecuniary penalties imposed by the cameral court, however, were not usually itemized. In one instance a fine amounted to 1,000 florins, but the total of the remaining listed fines imposed by this court between 1317 and 1327 was not greatly in excess of this figure.⁵ The only judicial fees entered in the accounts were those charged for the use of the seal of the auditor of the camera.⁶ They never amounted to more than a few hundred florins in any one year, but the amounts of the individual fees and the names of the payers were not specified. The total amount of the fees and condemnatory fines imposed by the cameral court in the decade from 1317 to 1327 was so small that any contributions which Englishmen may have made to it was of little significance. Englishmen do not appear among those condemned to pecuniary penalties by other papal courts, but it is by no means certain that all the fines imposed by the other courts went to the papal cam-

¹ Brooke, *English Church*, pp. 212-14, 223-26.

² Professor E. B. Graves in his forthcoming monograph upon the judicial relations between England and the papacy may provide more evidence upon the subject.

³ The same is true of the two examples of actual expenditures given above: pp. 181, 182.

⁴ *Ann. de Theokesberia*, pp. 138, 139, 143.

⁵ Göller, *Einnahmen unter Johann XXII*, pp. 285, 290, 295, 461, 462, 465, 470.

⁶ *Ibid.*, pp. 463-65, 521.

era, and it is quite clear that the fees charged by the other courts were not received by the camera. It seems to be impossible to derive from such evidence any definite conclusion with regard to the financial value to the papacy of the judicial causes which came to its courts from England. Even the number of such causes cannot be established with any exactitude. To the reader of papal and episcopal registers and of monastic cartularies the number appears to have been large, but the average number in one year was probably small. If the fees and fines levied by the courts be distinguished from the fees which litigants may have paid to their attorneys, the gratuities which they may have disbursed and the expenses of their proctors, it may be surmised that the revenue received from England through the papal courts was not of great importance compared with other sources of income from England.¹

6. PECUNIARY PENANCES

The papacy received some income from pecuniary penances. Beginning in the second half of the twelfth century the popes centralized a large amount of penitential discipline in their hands by means of reservations. By the early years of the thirteenth century the business had become large enough to warrant the establishment of the papal penitentiary to take charge of it.² During the pontificate of Gregory IX a troubadour wrote: 'Rome, your avidity deludes you, and you shear too much wool from your sheep. So great is your avarice that you pardon sins for money.'³ Though the criticism reflects a popular misconception that absolution could be purchased,⁴ it leaves no doubt that pecuniary penances were being imposed at the papal court. Concerning the financial value to the papacy of such payments we receive no definite information until the time of John XXII. In his cameral registers were recorded year by year the receipt from the papal penitentiars and other confessors of sums paid by penitents for penances enjoined in a limited variety of cases. Often the payments were for the restoration of illegally acquired property which could not be returned to the original owners.⁵ The amount of any single payment was rarely large and the total of the recorded receipts was very modest.

¹ The courts of the States of the Church have not been considered, because Englishmen rarely came before them. Pecuniary penances imposed in the penitential forum are treated below.

² Göller, *Die päpstliche Pönitentiare*, I, pt. 1, 75-85; *Chron. of Melrose*, trans. by Stevenson, p. 156.

³ Rocquain, *La Cour de Rome*, II, 45.

⁴ Lea, 'Taxes of the Papal Penitentiary,' *E.H.R.*, VIII, 425-27.

⁵ Göller, *Einnahmen unter Johann XXII*, pp. 287, 303-5, 327, 330, 332, 336; Lunt, *Papal Revenues*, I, 130-32.

Examples of payments of pecuniary penances to the penitentiary or camera by Englishmen previous to 1327 have not come to my attention, though some were probably made. None of those named as payers of penances in the cameral records from 1317 to 1327 was an Englishman, but one of the anonymous payers paid part of his penance in sterlings and part in French money. If the cameral registers of John XXII display all of the pecuniary penances collected at the papal court during the first decade of his pontificate, either Englishmen were singularly impenitent, or they did not frequently commit the types of sins for which a monetary penance imposed by the papal penitentiary was associated with absolution. Though the experience of these years may not be typical of the whole period under review, it creates a strong probability that the revenue received from pecuniary penances paid by Englishmen was negligible. The inference is sustained in some measure by the paucity of English criticism of the fiscal side of the papal penitential system.¹

7. FINE IMPOSED ON ROMAN CLERKS BENEFICED IN ENGLAND

One penalty imposed by Gregory IX can be classified neither as a judicial nor as a penitential fine. In 1234 he was expelled from Rome by the inhabitants, and in revenge he ordered English prelates to retain the revenues of benefices held in England by clerks of the city of Rome, other than the papal chaplains and clerks who resided in their benefices, and to deliver them to the papal collector, Boetius, who was to deposit them at the Temple in Paris. Since the Roman clerks were soon afterward deprived of their benefices, the pope could not have derived much profit from the expedient.² The incident is more interesting historically than it was important financially.

8. COMPOSITIONS

For some types of papal dispensations, absolutions and indulgences compositions had to be paid by the recipients. 'A composition was so called because the amount of the payment was not determined in advance, but was subject to adjustment between the official imposing it and the payer.'³ Compositions are easily distinguishable from the fixed fees

¹ The complaint that sins could be pardoned for money appeared, but it was directed against the papacy only infrequently: *Latin Poems commonly attributed to Walter Mapes*, pp. 224, 225; *Anglo-Latin Satirical Poets*, I, 99. The commutation of penances to payments of money did not of itself excite criticism at this period in the middle ages: Lea, 'Taxes of the Papal Penitentiary,' *E.H.R.*, VIII, 425.

² Rodenberg, *Epistolae*, I, 503, no. 614; *Ann. de Theokesberia*, p. 94.

³ Lunt, *Papal Revenues*, I, 129.

paid to the penitentiary and the chancery for letters of dispensation, absolution or indulgence, but many of them were so closely akin to pecuniary penances both in their nature and their administration that it is difficult to draw any hard and fast line between them. The payments which I designate as compositions were those which were assessed and exacted under that name by the datary in the second half of the fifteenth century. In the thirteenth and fourteenth centuries they may not have been called commonly by the same name, and they were usually assessed and levied by the papal penitentiary or camera.¹ The datary had no connection with them in the earlier period. But since some of the payments designated as compositions in the later period were levied before 1327, it seems convenient to treat them under that caption.²

One of the oldest compositions was that for the commutation of vows of pilgrimage. The practice of commutation began apparently in connection with vows to make pilgrimages to Jerusalem by participation in a crusade. During the twelfth century the custom developed of commuting such vows in return for payment of the estimated amount which the journey would have cost.³ By the thirteenth century this principle had been extended to vows to make pilgrimages to Rome or to Compostella. Often the composition included also the estimated value of the offerings which the commuter would have made at the shrines visited.⁴ Commutations of vows of pilgrimage other than to the Holy Land⁵ appear to have been exceptional in England. One which has come to my attention occurred in 1288, when Nicholas IV authorized the bishop of Salisbury to absolve John de Wotton, sheriff of Wiltshire, from a vow to visit Rome which had been taken by his mother in his behalf, in return for a contribution to the church of St Peter at Rome of what he would have spent upon the journey.⁶ What the amount of the composition may have been must be left in the realm of speculation, since it would vary in accordance with the wealth and social status of the person who received the commutation.⁷ In 1326 the papal collector, Hugh of Angoulême, was given faculty to grant dispensations to persons who were prevented by age, sickness or wars from fulfilling vows to visit Rome or Compos-

¹ Apparently some of them might be imposed and levied for the papal camera by any authorized confessor: Lunt, *Papal Revenues*, I, 130.

² *Ibid.*, I, 129-33.

³ Above, pp. 424, 425; Lunt, *Papal Revenues*, I, 117.

⁴ Lunt, *Papal Revenues*, I, 130.

⁵ On the commutation of crusading vows see above, pp. 424-50.

⁶ Potthast, *Reg.*, 22754; *Cal. Pap. Regs. Letters*, I, 492.

⁷ For illustrations of the amounts of compositions see Göller, *Einnahmen unter Johann XXII*, pp. 353, 358, 361, 367.

tella.¹ Nothing was said about compositions, but they were by then so customary that their exaction by the collector for any commutations which he may have made may be assumed.² This appears to have been the first time that an English general collector was authorized to dispense vows of pilgrimage other than to Jerusalem, though collectors of obventions for the crusades had sometimes been given the power.³ Whether Hugh derived any money from this source is unknown, because his report to the papal camera is lacking. In 1327 the pope authorized Queen Isabella's confessor to commute her vow of a pilgrimage to Compostella,⁴ but what was done in the matter has not come to light. Though these illustrations demonstrate that commutations of vows of pilgrimage to Rome and Compostella were made in England for other purposes than to help finance crusades, their paucity, even though they are probably incomplete, indicates that the revenue derived therefrom was of no moment to the papal camera.

Another source of compositions arose from revenues collected by the incumbent from a benefice which he held illegally. Such a situation might result from the holder being too young, acquiring the benefice by simony, possessing two benefices with cure without proper dispensation, or from a variety of other causes. Technically such a benefice was vacant, and the illegal incumbent was not entitled to the revenues. When he sought to legalize his position by obtaining absolution and dispensation, some disposition had to be made of the fruits which he had collected wrongfully ('male,' 'illicite,' 'injuste' or 'indebite') previous to the dispensation.⁵ During the thirteenth century it was customary to take from him the whole of the fruits illegally received. In 1238 the bishop of Worcester was ordered to assess the fruits due in such a case and assign them to the aid of the Holy Land.⁶ This disposition of the fruits was common,⁷ or they might be converted to the utility of the church which had been held wrongfully.⁸ By the time of John XXII it was also customary to take them for the use of the papal camera.⁹ In the

¹ *Cal. Pap. Regs. Letters*, II, 474.

² Nuncios to England who received a similar faculty in 1329 were instructed to collect sums for the subsidy against heretics: *ibid.*, II, 494.

³ Above, pp. 440, 449, 459.

⁴ *Cal. Pap. Regs. Letters*, II, 279.

⁵ Lunt, *Papal Revenues*, I, 101.

⁶ *Regs. de Grégoire IX*, 4450.

⁷ *Cal. Pap. Regs. Letters*, I, 178, 468, 506, 545, 550; II, 40, 134, 189, 195, 225, 241.

⁸ *Regs. d'Honorius IV*, 821; *Regs. de Nicolas IV*, 4148, 4207, 5606; *Cal. Pap. Regs. Letters*, I, 517-19, 525, 526, 528, 529, 531-33, 535, 537, 541, 543, 545-51, 557, 567, 577, 578, 581; II, 70, 71.

⁹ Lunt, *Papal Revenues*, I, 102. In some instances the fruits wrongfully received were ordered to be confiscated without direction for their disposition: *Regs. d'Alexandre IV*, 2592-97, 2629, 2675, 2680.

second half of the thirteenth century it became the practice to exact a suitable part of the illegally collected fruits and to concede the remainder to the incumbent.¹ Restoration of the whole of the fruits to an incumbent was exceptional.² When only a part of the illegally collected revenues was taken from the incumbent, the amount was established by a composition. Frequently it was set at the income of the benefice for one year, but this was not a universal rule.³

The papacy received the whole or a part of fruits wrongfully received by holders of English benefices from time to time during the thirteenth and fourteenth centuries.⁴ The reason for the levy was such that it was bound to occur only occasionally. The payment in any one instance was not usually large. The bishop of Bath and Wells was required in 1289 to pay £400 to the aid for the Holy Land,⁵ but the fruits of one benefice, even when taken for the whole period of their illegal receipt, rarely amounted to that sum. The following illustrations are more typical. The holder of Acle in the diocese of Norwich compounded for the assessed value of the fruits of his benefice which was £30,⁶ the holder of Hanbury in the diocese of Lichfield compounded for the same value and paid £33 6s. 8d.,⁷ and the holder of Brington in the diocese of Lincoln compounded for the fruits of two years which were assessed at 400 florins.⁸ Manifestly fruits wrongfully received in England yielded to the papacy only a casual revenue of slight importance.

Other dispensations and absolutions became the occasions of compositions during the thirteenth century and early years of the fourteenth, but it would be difficult to compile a complete list of them.⁹ As far as my knowledge extends, no Englishmen paid compositions for them except those prescribed by local prelates in aid of the Holy Land,¹⁰ but the documents in which records of the payment of such compositions might

¹ Aside from an instance in 1238, when the whole of the revenues were taken for the crusade and part of them given to the incumbent for his expenses on the crusade, and an instance in 1239 when only a part of the revenues was taken, the earliest example which I have noted occurred in 1287: *Regs. d'Honorius IV*, 821; *Cal. Pap. Regs. Letters*, I, 175, 178. Later the practice became normal: *Regs. de Nicolas IV*, 4148, 4207; *Cal. Pap. Regs. Letters*, I, 550; II, 134, 189, 195, 225, 241.

² *Regs. de Nicolas IV*, 3829, 3869, 4039, 4121, 4785, 5606, 6366; *Reg. Clementis V*, 612, 705, 707, 708, 757, 775, 892, 900, 1059, 1500, 1700, 1708, 1886, 1908, 2414, 2512, 2527, 2675; *Cal. Pap. Regs. Letters*, I, 593; II, 1-5, 7, 12, 15, 22, 36, 110, 197.

³ Lunt, *Papal Revenues*, I, 101, 102.

⁴ *Cal. Pap. Regs. Letters*, I, 468, 506, 547, 550; II, 134, 189, 195, 225, 241, 261.

⁵ *Cal. Pap. Regs. Letters*, I, 506.

⁶ *Ibid.*, II, 134.

⁷ *Ibid.*, II, 189.

⁸ Lunt, *Papal Revenues*, II, 383.

⁹ *Ibid.*, I, 131.

¹⁰ *Ibid.*, II, 516, 517; above, pp. 440, 444, 449, 459.

be expected to appear are sparse before the pontificate of John XXII.¹ Many dispensations, absolutions and indulgences which were the cause of compositions late in the fifteenth century² appear to have been free from such payments before 1327. Beginning with Boniface IX, for example, compositions were demanded for dispensations to validate marriages contracted knowingly within prohibited degrees.³ Previous to 1327 dispensations of that type seem to have been rare, though dispensations for marriages contracted within the prohibited degrees without specification that the parties acted in ignorance were common enough.⁴ Papal indulgences authorizing archbishops, bishops or archdeacons to visit their provinces, dioceses or archdeaconries by proxy and receive procurations became common under Boniface VIII, numerous under Clement V and less frequent under John XXII.⁵ Papal grants of perpetual unions or appropriations of churches were common before 1327. All papal grants of these classes became the occasions of compositions in the fifteenth century, but the surviving cameral accounts provide no indication that the popes received compositions for such grants before 1327. Within the period under review compositions for dispensations, absolutions and indulgences other than those associated with the crusades appear to have produced in England only an exceedingly small casual income for the papacy.

9. INDULGENCES

Papal indulgences, aside from those issued in connection with the crusades, were of no financial significance to the papacy in its relations with England before 1327. Indulgences which relaxed a limited portion of the penances enjoined upon confessed penitents who visited a specified church and gave alms to it were issued freely to English petitioners, but for this type of indulgence the papacy received no more than the fees charged by the chancery for writing the letters.⁶ The issue of local

¹ There are, of course, many records of dispensations granted by the pope or the papal penitentiary, but they do not fall within the classes for which compositions are known to have been exacted. See, for example, *Reg. of Corbridge*, I, 127, 150, 201, 206, 211, 218, 284, 290; II, 19, 29, 134; *Reg. of Reynolds*, pp. 81-84.

² For a list of them see Lunt, *Papal Revenues*, II, 525-28.

³ Lunt, *Papal Revenues*, II, 524-26; Göller, *Die päpstliche Pönitentiare*, I, pt. 1, 114.

⁴ *Cal. Pap. Regs. Letters*, I, II, see index under 'Marriage cases and dispensations'; Potthast, *Reg.*, 23118.

⁵ The archdeacon of Norwich received such a privilege in 1236, but I have noted no other before 1301: *Cal. Pap. Regs. Letters*, I, 157, 596, 608, 613; II, 33, 68, 71, 72, 74, 81, 86, 95, 101, 107, 109, 113, 114, 118-20, 187, 212, 229, 242, 250, 254, 440, 441.

⁶ Lunt, *Papal Revenues*, I, 111-13.

plenary indulgences for which the papacy received a composition or a share of the proceeds had not yet begun.¹ The only known jubilee indulgence before 1327 was published by Boniface VIII in 1300. It gave pardon of sins to confessed penitents who should visit the churches of Peter and Paul in Rome a specified number of times within the year, and required no payment of alms.² Englishmen who took advantage of the indulgence doubtless helped to swell the volume of the oblations which the pope received from the altars of Roman churches in that year. Only in these remote and indirect ways were indulgences other than those granted to crusaders and contributors to crusades of the slightest financial advantage to the papacy before 1327.

¹ *Ibid.*, I, 113-15.

² *Ibid.*, I, 121.

CHAPTER XI

PROCURATIONS OF PAPAL ENVOYS

1. GENERAL CUSTOM AND LAW WITH REGARD TO PROCURATIONS

THE papacy received an income from the procurations which were levied in England by its envoys in only a few instances near the close of the period under consideration. The procurations were intended to meet the expenses of the envoys themselves. They were of financial advantage to the papacy, which otherwise would have been compelled to provide for the expenses of its envoys from its own resources. The envoys, moreover, were papal representatives, and the vexation which the levy of procurations often produced among the local clergy was consequently directed in part against the papacy.

Originally the right of papal envoys to demand entertainment of the clergy to whom they were sent rested upon custom. John VIII (872-82) commanded the clergy of a country to which a legate was sent to provide him with necessary food and raiment, but it was a long time before it became customary to issue such a letter to every envoy who was authorized to exact procurations.¹ Gregory VII required the archbishops and other prelates from whom he exacted an oath of fealty² to include in the oath a promise to treat the legates of the apostolic see honorably and to aid them in their necessities.³

In 1179 the council of the Lateran issued the first of a series of canons which regulated the levy of procurations. By a decree which forbade a cardinal visiting a parish to be accompanied by more than 25 mounts it limited the size of the following for which a cardinal acting as papal envoy could demand entertainment,⁴ though popes began in the thirteenth century to grant to individual cardinal legates the privilege of exceeding the limitation imposed by this law.⁵ Innocent III ruled in 1199 that all churches were bound to give procurations to legates and nuncios of the apostolic see, unless they were exempted by a special privi-

¹ Ruess, *Die rechtliche Stellung*, pp. 40, 188.

² Lunt, *Papal Revenues*, I, 91, 92.

³ Ruess, *op. cit.*, p. 188; Zimmermann, *Legation*, p. 280; Berlière, 'Le Droit de Procuration,' *Bulletin de la Classe des Lettres et des Sciences morales et politiques de l'Académie royale de Belgique*, 1919, p. 516.

⁴ *Decretales Gregor. IX*, lib. III, tit. XXXIX, c. VI; *Regs. d'Urbain IV*, II, 830; Ruess, *op. cit.*, p. 192; Zimmermann, *Legation*, p. 292.

⁵ Ruess, *op. cit.*, p. 192.

lege of that see. The maintenance which must be given he defined as necessary expenses, and he specified that no church or prelate should be unduly or unreasonably burdened.¹ The fourth council of the Lateran dealt extensively with the subject in 1215. It stated specifically that papal legates and nuncios were to observe with regard to the number of their horses and followers the moderation decreed by the third council of the Lateran, and it forbade them to exact procurations without necessary cause unless they exercised the office of visitation personally. The decree did not mean literally that an envoy must visit personally within the district to which he was accredited each church from which he took procurations,² since a second clause provided that legates and nuncios who should make a necessary delay in a place were to receive procurations from other places in order that the one community might not be too heavily burdened. The number of their procurations was not to exceed the number of the days of their sojourn, and, when one place would be excessively taxed to provide a whole procuration, one or more places might be joined with it for the payment of one procuration.³ Gregory IX decreed that those who owed procurations to a legate could be placed under the sentence customarily inflicted upon rebels for failure to pay them.⁴ The requirement of Innocent IV, which was renewed by Gregory X and repealed by Boniface VIII, that procurations must be taken in kind and not in money,⁵ did not apply to papal envoys.⁶

Alexander IV finally put the procurations which a legate or nuncio of the apostolic see might levy on the basis of the papal letter which authorized the particular levy. The letter was to state the number of horses and followers allowed the envoy, and if he should be present or in the neighborhood and produce the letter, or if he should be absent and send copies of the letter by his agents, the local prelates and ecclesiastical persons would be responsible for providing him with food and necessities for the specified number in an amount proportioned to the length of his stay. If other demands should be made, such as for horses, clothes or money, they would not have to be met, unless they should be authorized and their nature, amount and time defined by the letter. Envoys, moreover, could levy procurations only in those dioceses through which they passed, unless they should make a necessary sojourn somewhere. The

¹ *Decretales Gregor. IX*, lib. III, tit. XXXIX, c. XVII.

² If it had this meaning, it ran counter to previous practice and was not observed subsequently: Ruess, *op. cit.*, pp. 192-96; Zimmermann, *Legation*, pp. 281-83.

³ *Decretales Gregor. IX*, lib. III, tit. XXXIX, c. XXIII.

⁴ *Decretales Gregor. IX*, lib. III, tit. XXXIX, c. XXV.

⁵ *Sexti Decretales*, lib. III, tit. XX, c. I-III.

⁶ Ruess, *op. cit.*, pp. 203, 204.

last rule, however, does not appear to have applied to the province or district to which the envoy was accredited, but only to the districts through which he passed on the way to and from his destination.¹ This decree would seem to have made the right of subsequent papal legates and nuncios to levy procurations dependent solely upon the terms of the papal letter issued to each envoy, but it did not supersede entirely the older practice established by custom and canon law.

2. EARLY PROCURATIONS IN ENGLAND

The first indication that papal envoys were exacting procurations in England which has come to my attention is provided by a statement which Hugo of Flavigny placed in his chronicle under the annal for 1096. 'The authority of Rome,' he said, 'had been rendered worthless with the English by the avarice and cupidity of legates.'² Further allusions to procurations come from the reign of Henry I. In 1121 Peter Pierleone, cardinal priest of S Maria in Trastevere, who had been appointed legate to the British Isles, presented himself to Henry I in France. The king ordered him, after his arrival in England, not to enter any church or monastery by grace of hospitality, nor to take more than was necessary for his sustenance.³ His command seems to imply that preceding envoys had been following other practices. Additional force is given to the inference by William of Malmesbury. He related that after three legates, Guy, archbishop of Vienne (1100), Anselm of St Saba (1115-19) and Peter Pierleone (1121) had come to England, Henry sent an embassy to Rome to secure the legateship for the archbishop of Canterbury. One of the reasons which influenced him to make the request was the greed of the legates with regard to money. The story is confused chronologically, since the pope's answer to the king's petition was dated 24 March 1117.⁴ Yet, taken in conjunction with the royal prohibition placed upon Peter Pierleone, it gives rise to the assumption that recent papal legates had been demanding procurations which for some reason were regarded as objectionable. Hugo's fling at the cupidity of the legates, William's reference to money, and the king's insistence on procurations paid in provisions imply that the objectionable feature may have been demands for the procurations in the form of cash. This would seem to indicate that pecuniary procurations were a recent innovation, and that earlier papal envoys had been contented with procurations in the form of enter-

¹ 29 April 1256: *Regs. d'Alexandre IV*, 1323.

² 'Chron.,' *M.G.SS.*, VIII, 475.

³ Eadmer, *Historia*, p. 295.

⁴ *Gesta Pontificum*, pp. 128-30.

tainment.¹ Unless these inferences are warranted, the procurations themselves would seem to be new, and that is most improbable in view of the long standing of the custom of procurations.

3. PROCURATIONS, 1125-1199

Henry I failed in 1117 not only to obtain the legateship for the archbishop but also to stop the levy of pecuniary procurations. In 1125 John of Crema, cardinal priest of S Crisogono, came to England as legate, and, though no chronicler said definitely that he levied procurations, the combined statements of two chroniclers leave little doubt that he exacted them in the form of money. The Anglo-Saxon chronicler noted that he went to bishoprics and abbeys throughout all England, 'and everywhere he was received with worship and all gave him great and noble gifts.'² Hugh the Chantor recorded that he carried much money on his return to Rome.³ The money apparently came from the gifts which he received as a result of his visitation of bishoprics and monasteries, and, if the gifts were procurations,⁴ his universal receipt of them would be explained. If the money came from procurations, they were owed in this period only by bishops, monastic communities and capitular bodies.

Henry I finally secured the appointment of the archbishop of Canterbury as legate in 1126. During the remainder of the twelfth century archbishops of Canterbury or other English prelates served as papal legates.⁵ Nothing indicates that they were entitled to receive pecuniary procurations in their legatine capacity, and we are told definitely that Hubert Walter, when he visited the province of York as apostolic legate in 1196, took nothing from the conventual churches for procurations.⁶

During this period papal envoys continued to come from the papal court occasionally, and some of them levied procurations in money. Concerning those who came between 1126 and 1166 I have discovered no evidence, but since the demands of papal legates were causing criticism contemporaneously throughout the Roman catholic world, it may be deemed probable that some of the envoys who came to England levied

¹ Berlière, 'Le Droit de Procuration,' *loc. cit.*, p. 515.

² II, 221, 222. See also Henry of Huntingdon, *Historia*, p. 245.

³ *Historians of York*, II, 212.

⁴ Tillmann's conjecture that the money came from Peter's pence receives no confirmation in contemporary sources: *Legaten*, p. 30, n. 99.

⁵ Tillmann, *Legaten*, pp. 30-36, 41-50, 85-87.

⁶ Ralph of Diceto, *Opera*, II, 147, 148. The archbishop of York accused him of exacting 30,000 marks from the English clergy during his visitation, but the accusation appears to have been false: Jocelin de Brakelonda, *Chron.*, pp. 62, 63.

procurations in the form of cash. It was in this period that John of Salisbury described a legate who took only the necessary food and drink as an exception to all custom and experience.¹ From 1166 to 1173 the numerous envoys whom Alexander III sent to Henry II in connection with the issues arising from his controversy with Becket met the king in his French lands and did not enter England.² In 1173 the papal sub-deacon, Nicholas, came to England to collect a subsidy, and he was followed during the remainder of Henry's reign by nine or more other papal envoys.³ At least two of them levied pecuniary procurations. Hugo Pierleone, cardinal deacon of S Angelo, came as a legate in the autumn of 1175 and remained until the spring of 1176. He visited metropolitan and abbatial churches,⁴ and from right and left took gifts which he put in his coffers.⁵ Octavian, cardinal deacon of Ss Sergius and Bacchus, who was in England as legate during the last days of 1186 and the early days of 1187, received from the royal keepers of the bishopric of Salisbury £7 8½d. for a procuration of two days.⁶ The rate was high. A few years later a legate received only £2 14s. for one procuration, and over fifty years later a cardinal legate demanded only £2 13s. 4d. for each procuration.⁷ During Richard's reign only one legate and one nuncio are known to have come to England other than the resident legate, William Longchamp, bishop of Ely.⁸ What they levied in the way of procurations has not come to light.

4. PROCURATIONS DURING THE REIGN OF JOHN

With the reign of John the evidence concerning the procurations levied by papal envoys becomes more abundant. In the first year of his rule two papal representatives were receiving them. The royal keepers of the bishopric of Lincoln paid £2 14s. for the procuration of a legate whom

¹ *Policraticus*, I, 347-49, 354, 355; II, 354-58.

² Tillmann, *Legaten*, pp. 56-73. William of Pavia and Otto, cardinal deacon of S Nicola in Carcere, were accredited to the English clergy, but, before they left Rome their legation was restricted to Henry's French dominions: *ibid.*, pp. 57-62; Jaffé, *Reg.*, 11299, 11344. There is no reason to suppose that they collected procurations in England, though Gervase of Canterbury commented on their thirst for gold: *Opera*, I, 203.

³ Four of them came in two pairs. One legate and one nuncio passed through England on the way to Scotland. Two other legates were commissioned to England who probably did not fulfil their commissions: Tillmann, *Legaten*, pp. 73-78.

⁴ *Gesta Regis Henrici*, I, 106.

⁵ Gervase of Canterbury, *Opera*, I, 256, 257.

⁶ Pipe Roll Soc., *Pubs.*, xxxvii, 187. He was associated with Hugh Nonant, bishop elect of Lichfield: Tillmann, *Legaten*, pp. 80, 81. The entry does not mention Hugh as the recipient of any portion of the procuration.

⁷ Below, p. 540.

⁸ Tillmann, *Legaten*, pp. 83-89.

they did not name in their account.¹ Philip, a papal notary, was acting as papal nuncio in England at the same time.² He placed a heavy burden of hospitality upon the religious houses in the neighborhood of London.³ In 1205 he was still collecting procurations. When he passed by the monastery of Whitby, he did not visit the house, but he sent two messengers to requisition a pack horse. The monks gave him one which cost five marks, and they also paid five shillings to each of his two messengers and four pence to each of the two servants of the messengers.⁴ Philip's procurations appear to have been confined to provisions and mounts, but he evidently succeeded in making them burdensome to the monastic communities.

The first information that papal legates who passed through England on their way to other countries took procurations in England comes from 1201.⁵ John of Salerno, cardinal priest of S Stefano al Monte Celio, who was commissioned as legate to Scotland and Ireland, stopped at York on his way. Roger of Hoveden noted that he abstained from meat and did not drink wine or any other beverage by which he could be inebriated, 'but he thirsted for gold and silver.'⁶

John of Ferentino, cardinal deacon of S Maria in Via Lata, who came to England as legate in 1206, attracted the attention of the chroniclers chiefly by the amount of money which he assembled.⁷ The continuator of Florence of Worcester dismissed him with the laconic statement: 'John of Ferentino, a nuncio of the lord pope, after he had collected a large sum of money, celebrated a council at Reading on 20 October. Thereafter, with the money carefully packed, he returned to Rome.' The money which fills both the foreground and the background of this picture of the legate's career in England may well have been due to a perspective distorted by a procuration which the author's monastic community had been compelled to pay to the envoy. Though John's activities are not well known, he did more than is implied in the chronicler's

¹ Pipe Roll 46, m. 2v. No papal legate is known to have been in England in that year. Peter of Capua, cardinal deacon of S Maria in Via Lata, who was legate in France, was commissioned to transact some business in England, but he seems to have performed his task in Normandy: Tillmann, *Legaten*, pp. 88, 89.

² Above, p. 241.

³ Ralph of Diceto, *Opera*, II, 168.

⁴ H.M.C., *Report on Various*, I, 216.

⁵ The author of *Gesta Regis Henrici* asserted that Vivianus, a legate who journeyed through England on his way to Scotland in 1176, was recalled to Rome on account of his cupidity, but apparently he referred to Scotland as the place where the cupidity was exercised: I, 167. Octavian and Hugh Nonant were accredited to Ireland, but they did not go beyond England: Tillmann, *Legaten*, pp. 80, 81.

⁶ *Chron.*, IV, 174, 175.

⁷ Florence of Worcester, *Cont.*, II, 166; Roger of Wendover, *Flores*, III, 187, 188.

narrative.¹ The source of his money was not definitely stated by the contemporary historians. Conceivably he might have received for the pope some of the Peter's pence which Peter des Roches was engaged in collecting, some of the arrears of the fortieth which Master Philip was probably still attempting to recover, and some of the census owed by monasteries, but no evidence connects him with any of them.² On the other hand, he visited some bishoprics and monasteries in person,³ and in the diocese of Lincoln he appointed the prior of Dunstable to visit for him all the religious houses except those of the Cistercians, Premonstratensians and the military orders.⁴ The exemptions establish a likelihood that the primary purpose of the prior's visitations was to collect pecuniary procurations for the legate. The Templars had received from Alexander III exemption from the payment of procurations in money to legates and nuncios of the apostolic see who were not cardinals,⁵ which apparently made it necessary for John to appear in person in order to collect procurations from them. Though the Cistercians and Premonstratensians are not known to have received similar privileges at this date, they may have possessed them. Not long after 1206 they were privileged to exemption from the payment of pecuniary procurations to any papal legates and nuncios.⁶ If the prior did collect procurations for the cardinal, he was the first local deputy known to have been employed for the collection of procurations by a papal envoy to England.

Guala, who arrived in 1216 and remained until late in 1218, is the only one of the remaining papal envoys who came to England during John's reign⁷ whose collection of procurations was mentioned by the chroniclers. In his first year of residence he exacted a procuration of £2 10s. from each cathedral and conventual church,⁸ and presumably he took the same amount during each year of his sojourn. It was probably the surplus of this income above his living expenses which he took with him to Rome stored in little packages. The annalist of Barnwell gave him a parting shot similar to that aimed at John of Ferentino by Florence's continuator. 'Guala,' he said, 'returned to Rome with infinite money acquired every which way.'⁹ It was becoming good form for a monastic chronicler to

¹ The fullest account is given by Cheney, 'Papal Legate,' *E.H.R.*, XLVI, 443-52.

² Cf. Cheney, *loc. cit.*, p. 444; Tillmann, *Legaten*, p. 93, n. 117.

³ Cheney, *loc. cit.*, pp. 445-49; *Chron. de Evesham*, pp. 201, 202.

⁴ *Ann. de Dunstaplia*, p. 29.

⁵ Jaffé, *Reg.*, 13547; Ruess, *Die rechtliche Stellung*, p. 189.

⁶ Ruess, *op. cit.*, pp. 188-90. In 1217 the Cistercians failed to make their privilege good against Guala, but later they secured a new privilege from Honorius III: *Chron. of Melrose*, trans. by Stevenson, pp. 166, 167; Tillmann, *Legaten*, p. 117, n. 297.

⁷ For a list of them see Tillmann, *Legaten*, pp. 94-120.

⁸ Roger of Wendover, *Flores*, III, 379.

⁹ Walter of Coventry, *Memoriale*, II, 241; John de Oxenedes, *Chron.*, p. 143.

speed a departing papal envoy on his way to the papal court with a sarcastic remark about his money bags, and the later usage of the allusion indicates that it was associated with procurations.

5. PROCURATIONS DURING THE EARLY YEARS OF HENRY III

During the first decade of the reign of Henry III several other papal envoys came to England,¹ but the only one whose levy of procurations has come to my notice was the nuncio Otto. It may be deemed highly probable that Pandulph, who succeeded Guala as legate, held that office until 1221, and subsequently acted as papal collector until his death in 1226, was entitled to them. More doubt may be entertained with regard to the embassy consisting of the archbishop of Tyre and three Cistercian abbots, which came in 1217 to make peace with Prince Louis and departed in less than a month,² and the embassy of a Templar and a Hospitaller which was sent in 1218 to announce the date of a new crusade.³ Papal nuncios who came in 1221 and 1223, probably for the primary purpose of delivering messages to the king, received gifts from the exchequer,⁴ but if they served only as messengers, they were entitled by custom only to provisions from the places at which they halted on their journeys.⁵ The two legates who passed through England on their way to Scotland and Ireland⁶ had the privilege of taking procurations in money in England only from those places at which they stopped, and from neighboring places if a long sojourn became necessary in any one place.

6. OTTO'S PROCURATIONS AS NUNCIO AND LEGATE

Otto, who was a papal nuncio but was not a cardinal, arrived in England late in 1225 and left for Rome in the spring of 1226. Since he had business to transact both with the king and an assembly of the clergy and during part of the period was absent in France,⁷ he had little time to travel through England and collect his own procurations. He therefore requested each bishop to have procurations levied from each church in his diocese which customarily paid them to legates and nuncios of the apostolic see, provided the church was able to bear the expense, and to transmit the proceeds to him in London. One procuration was not to

¹ Hugh MacKenzie's forthcoming study on papal envoys during the reign of Henry III will provide full information about them.

² Tillmann, *Legaten*, p. 113.

³ Zimmermann, *Legation*, p. 89.

⁴ *Rot. Lit. Claus.*, I, 459, 576.

⁵ Ruess, *Die rechtliche Stellung*, p. 189, n. 6.

⁶ Zimmermann, *Legation*, pp. 86, 93; *Pat. Rolls 1216-25*, p. 271.

⁷ Above, pp. 144, 145, 185, 186.

exceed the sum of two marks.¹ Apparently aware of the English belief that papal envoys put the money derived from procurations in their purses and carried it back to Rome, he took the trouble to explain that he would use the money for no such purpose but would apply it to payment of the necessary expenses which he had incurred during his delay in London.² The bishop sent a copy of Otto's letter to each cathedral and conventual church which was accustomed to pay procurations.³

This official letter makes possible the verification of deductions drawn previously from less exact evidence and the establishment of new conclusions with regard to the procurations of papal envoys. Papal legates and nuncios whose destination was England manifestly did not have to visit the places from which they levied pecuniary procurations. Many of the preceding envoys had visited some of the churches from which they received procurations, but it may be doubted if many of them had accomplished the difficult task of visiting them all in person. Possibly others beside John of Ferentino had employed local helpers, but Otto appears to have been the first to utilize the bishops for this purpose. Perhaps he was not too certain of his right to such assistance. He did not venture to command the services of the bishops, and he made no threat of penalties against either collectors or payers who might be recalcitrant. The envoys did not ask all churches to pay procurations, but only certain cathedral and conventual churches which were fixed by custom. From each one of these an envoy levied the procuration for one day. This was less in amount for a nuncio who was not a cardinal than for a legate who was. The daily procuration of the latter was usually in the neighborhood of four marks,⁴ while Otto, who belonged to the former class, asked for only two marks.

When Otto returned to England in 1237, he came as a cardinal and a legate. Since he asked a council of the bishops held at London on 31 July 1239 for new procurations, he must have collected them during the preceding years of his legation. The bishops opposed his demand for additional procurations in 1239 unsuccessfully.⁵ On 16 February 1240 Otto addressed mandates to the bishop or the archdeacons of each diocese, requiring them, by the authority of his legatine office, to cause the procurations due him in their jurisdictions to be collected and dispatched to him as soon as possible. No procuration was to exceed four marks,

¹ Roger of Wendover said 2 m. in one passage and £2 in another: *Flores*, iv, 108, 118.

² Undated letter of Otto to the bishop of Salisbury: *Vet. Reg. Sarisberiense*, i, 371, 372.

³ *Vet. Reg. Sarisberiense*, i, 371, 372; Roger of Wendover, *Flores*, iv, 118.

⁴ Above, pp. 536, 538.

⁵ Matthew Paris, *Chron. Maj.*, iii, 567, 616.

and if one church should be unable to pay a whole procuration, it was to be joined with another church in the payment of one procuration. Opponents were to be met with ecclesiastical censures.¹ The difference in the tone of this letter and of the one which Otto had issued for the same purpose fourteen years earlier is striking, but the reasons for it are uncertain. Possibly he felt free as a cardinal legate with full powers to issue commands to bishops whom he had dared only to request in his capacity as a nuncio on a special mission, and the use of ecclesiastical censures to enforce payment may have been due to the issue during the interval of the decretal of Gregory IX authorizing their use for that specific purpose.² The canons of Dunstable paid four marks in answer to this letter,³ as did doubtless many other monastic communities, but when Otto left in 1241, arrears were still outstanding, which Peter Rubeus, who had acted as his assistant in the collection of papal dues, was commissioned to recover.⁴

Otto's attempt to exact procurations from the Cistercians failed. Though he had been authorized by Gregory IX to take moderate procurations from them, notwithstanding their privilege to the contrary, the Cistercians refused to pay procurations and appealed to the pope. Gregory apparently changed his mind, for he ordered the legate not to demand pecuniary procurations from them, and, if he received procurations from them in the form of food, to be contented with their diet, which was without meat.⁵

7. PROCURATIONS OF COLLECTORS, 1229-1254

During the interval between Otto's two missions several papal nuncios came to England, but the only one whose procurations were noted by the chroniclers was Stephen of Anagni. He is the first papal collector who is known to have received them. Concerning his procurations we learn only that he levied them from the monasteries in 1229.⁶ They were probably like the procurations which Master Martin, the papal nuncio and collector appointed by Innocent IV, demanded soon after his arrival in 1244. He also collected them from religious houses, and from Dunstable he received ten shillings.⁷ Since Dunstable was a house which

¹ Matthew Paris, *Chron. Maj.*, iv, 6. In actual practice procurations were collected only from the churches which had been accustomed to pay them: Addit. MSS. 15668, fols. 61, 61v; 18461, fols. 70v-72v. For these references I am indebted to Professor Hugh MacKenzie.

² Above, p. 533.

³ *Ann. de Dunstaplia*, p. 155.

⁴ Matthew Paris, *Chron. Maj.*, iv, 137.

⁵ Matthew Paris, *Chron. Maj.*, iv, 81, 82; *Regs. de Grégoire IX*, 4248.

⁶ *Ann. de Dunstaplia*, p. 115.

⁷ *Ibid.*, p. 166.

paid a full procuration¹ the procurations of nuncios who were papal collectors were evidently less in amount than the procurations which Otto had exacted in 1226 in his capacity as nuncio. Ten shillings appears to have been at this time the customary amount of each procuration received by a papal collector. In 1247 John Anglicus and his colleague Alexander, who came to collect a papal subsidy, asked for a procuration of twenty shillings for both of them.² Master Martin, after his levy of procurations in 1244, sought procurations for a second time in the next year. His expulsion from the kingdom prevented his receipt of them,³ but his demand indicates that a nuncio who was a collector was entitled to a full procuration from each religious house which was liable for one during each year of his stay. In addition to Master Martin and John Anglicus, John of Kent, who appears to have acted as collector for Innocent IV from 1250 to 1254, probably received procurations, since by that time the levy of procurations by a nuncio who was a collector seems to have been customary.

8. PROCURATIONS OF OTHER PAPAL ENVOYS DURING THE PONTIFICATE OF INNOCENT IV

During the pontificate of Innocent IV the procurations exacted by the papal collectors seem to have constituted the principal burden placed upon the English clergy by papal envoys for their own maintenance. In 1247 William, bishop of Sabina, who had been appointed legate to the Scandinavian countries, landed in England. He received permission from the king to travel from Dover to Lynn, and at the latter port, while waiting to embark, he sent messengers to neighboring bishops, abbots and priors seeking procurations and gifts. The statement of Matthew Paris, that he kept the business secret, deserves little credence, since a legate was entitled to procurations under these circumstances by the canon law.⁴ His estimate of William's receipts at 4,000 marks is still more wildly improbable.⁵ Albert, the papal notary who came in 1252 to offer the crown of Sicily to Richard of Cornwall, requisitioned mounts from some conventual churches.⁶ Innocent IV also authorized the chief preachers of the crusade in England to receive procurations for five persons and mounts.⁷

¹ *Ibid.*, p. 155.

² Matthew Paris, *Chron. Maj.*, iv, 599. John's letter of recommendation to the clergy ordered them to provide him with necessities and mounts: *Addimenta*, p. 120.

³ *Ann. de Dunstaplia*, p. 167; Matthew Paris, *Chron. Maj.*, iv, 416.

⁴ Above, p. 533.

⁵ *Chron. Maj.*, iv, 626, 627.

⁶ *Ibid.*, v, 347, 348.

⁷ Above, p. 440.

9. PROCURATIONS DURING THE PONTIFICATE OF ALEXANDER IV

Alexander IV, early in his pontificate, sent the bishop of Bologna to England as a nuncio to receive from Henry III his ratification of the Sicilian contract.¹ When the bishop left England, he was accompanied by the bishop-elect of Toulouse, and the two carried 'priceless gifts,'² which may have been procurations.

In 1256 Alexander issued his decree which placed the procurations of papal envoys upon a new basis.³ The chief novelty was the requirement that each legate or nuncio should carry a papal letter specifying the nature of the procurations which he might levy. Previous popes had sometimes issued such letters. The letter of Gregory IX which prohibited the levy of pecuniary procurations from the Cistercians by Cardinal Otto implied that the legate had been authorized originally to take procurations by an earlier papal letter.⁴ Earlier legates and nuncios may have received similar letters,⁵ but many of them probably exacted procurations solely by virtue of customary right and canon law. The first nuncio who arrived under the new system was John, archbishop of Messina. He brought with him a papal letter addressed to the clergy ordering them to provide him and his following with necessities on his journey to and from England and during his sojourn there.⁶ On 17 February 1257 he forwarded a copy of the letter to each English bishop and accompanied it with his own mandate to cause a full procuration of two pounds to be collected from each church in the diocese which had previously paid procurations to solemn legates and nuncios of the apostolic see. The levy was to be made within a month and payment was to be enforced by ecclesiastical censures. The proceeds were to be delivered to him at the house of the dean of St Paul's in London.⁷ The nuncio's demand seems to have disregarded entirely Alexander's decree which exempted the clergy from liability to pay procurations in money unless that type of procuration was specified in the papal authorization. The bishop of Lichfield ordered his archdeacons to collect the procurations, but he proposed to deliver them to the archbishop only if a council of English bishops to be held at a forthcoming parliament in London should decide that the nuncio was entitled to them.⁸ The decision of the council is not

¹ Rymer, *Foedera*, I, 332.

² Matthew Paris, *Chron. Maj.*, v, 532, 533.

³ Above, p. 533.

⁴ Matthew Paris, *Chron. Maj.*, iv, 82.

⁵ I have noted none.

⁶ 11 November 1256: *Ann. de Burton*, p. 385.

⁷ *Ibid.*, pp. 385, 386.

⁸ 22 February 1257: *ibid.*, pp. 384-86

recorded. It may be deemed probable, however, that the money was ultimately paid to the archbishop, since he received £14 from St Albans for the procurations of the abbey and its cells.¹

The classification of papal legates and nuncios in relation to procurations as 'solemn' deserves comment. The archbishop of Messina was sent on a special mission to treat with the king and the clergy concerning the Sicilian affair.² Since his mission was similar in nature to that which Otto had executed in 1226, the amount of the daily procuration which a 'solemn' nuncio who was not a cardinal could levy had increased during the interval from two marks to three. The power to enforce payment of procurations had also increased. Otto had requested the bishops to collect his procurations and had not mentioned ecclesiastical censures; John commanded the bishops to levy his procurations and authorized them to compel payment with ecclesiastical censures. The line of demarcation between a 'solemn' nuncio and one who was not 'solemn' was not defined in the letter. A nuncio who acted as collector apparently was not 'solemn,' since his procurations were less in amount, and a nuncio who acted merely as a messenger without discretion to conduct negotiations appears also to have fallen short of being 'solemn,' since he was entitled only to entertainment in kind at the places where he actually stopped.

In connection with the embassy of the archbishop of Messina, it becomes apparent that religious houses often gave to papal nuncios and legates small gratuities in addition to the procurations which were paid compulsorily. The monks of St Augustine, Canterbury noted in an expense account the payment in 1257 to papal nuncios of a gift of three shillings.³ This gift, taken in conjunction with the presents given by the monks of Whitby to the messengers of Philip the notary in 1205, provides a basis for the conjecture that it was a common practice to make such gifts. The conjecture is confirmed by further entries in the account of expenses kept by the monks of St Augustine. Between 1257 and 1274 they gave to nuncios and the messengers and servants of nuncios and legates several other sums varying in amount from a few pence to seven shillings. The envoys included the legate, Cardinal Ottobon, and the collector, Raymond de Nogaret.⁴

Late in 1257 Arlotus was appointed nuncio to transact with Henry III further business concerning Sicily. On 1 April 1258 he dispatched to the English bishops mandates similar to those issued in the previous year by

¹ Matthew Paris, *Chron. Maj.*, v, 614.

² Rymer, *Foedera*, I, 351; *Ann. de Burton*, pp. 386-88.

³ Lambeth Palace Library, MS. 242, fol. 1^v.

⁴ *Ibid.*, fols. 2^v, 5, 11, 18^v, 21^v, 24.

the archbishop of Messina.¹ His letter of authorization differed from the archbishop's in only three significant details. The clergy were ordered to provide him and his entourage with necessities whether he should be present or absent, the pope stated that he would hold ratified any sentences which the nuncio might pronounce against opponents, and a full notwithstanding clause nullified exemptions from liability for procurations or necessities of papal nuncios previously granted by the apostolic see. Some slight variations appeared also in the nuncio's mandate. The procurations, which were the same in amount, were to be levied from each monastery, church, house and ecclesiastical place of the bishop's city, diocese and cathedral, but those churches which either were not accustomed or were not able to pay full procurations were to be allowed to contribute less. The ecclesiastical penalties to be employed were defined as excommunication and interdict. These procurations became the subject of discussion at a convocation held at Merton.² The nature and result of the debate was not noted by the reporter of it, but it did not prevent their levy.³ The notwithstanding clause raised sufficient doubt with regard to the effectiveness of the Cistercian exemption from payment of monetary procurations to cause the abbot of Waverley to carry the question to the pope. Alexander IV replied that the general exemption of the order, which released it from liability to pay money or give meat to general legates and nuncios of the apostolic see who should demand either by virtue of a papal safe conduct requiring abbots of the Cistercian and other orders to provide them with necessities, applied to the Cistercian houses in England.⁴ Since the letter by reason of which Arlotus demanded procurations was of the type described, the Cistercians were exempt from pecuniary procurations levied by its authority, but it is equally clear that a letter ordering the provision of necessities was sufficient authority for the exaction of procurations in money from religious houses which enjoyed no exemption, although Alexander's decree of 1256 apparently ruled to the contrary.⁵

10. COLLECTORS' PROCURATIONS, 1262-1327

With the appointment of Leonard of Messina as nuncio and collector by Urban IV in 1262 we obtain for the first time a copy of a letter author-

¹ *Ann. de Burton*, pp. 409-11.

² *Ann. de Burton*, p. 411.

³ *Ann. de Wigornia*, p. 445; Lambeth Palace Library, MS. 242, fol. 1v.

⁴ *Regs. d'Alexandre IV*, 2661; *Cal. Pap. Regs. Letters*, I, 359.

⁵ Above, p. 533. Alexander IV sent a few other nuncios to England, but I have discovered no trace of the levy of procurations by them. It is probable, however, that John of Kent, who was in England throughout the pontificate as nuncio and collector, received procurations as his predecessors in the office had done.

izing a collector to levy procurations for himself.¹ It was addressed to all the prelates and chapters to whom Leonard might come. It required them to provide him, seven other persons and five mounts with necessities, or, if he should prefer, with ten shillings a day. If he should remain longer than a day in a place, neighboring places were to pay procurations upon his request, provided they should not exceed the number of the days of his stop. The clergy were not bound to give him clothing, money or anything else beyond this specified amount except care of any of his mounts which might become disabled. Concerning the procurations of John of Kent after he superseded Leonard we receive no information, but Sinitius, the collector of Clement IV, received a letter concerning procurations similar to Leonard's, except that the amount was changed from ten shillings to seven.²

Raymond de Nogaret and Pierre d'Aussone received from Gregory X in 1272 a letter which was simpler in form. It was addressed to the archbishops, bishops, abbots, priors, convents, deans, provosts, rural deans, chapters, other prelates of churches and rectors 'beyond the English sea' and ordered payment by them to each of the nuncios of procurations of eight shillings a day. It also gave notice that the collectors had power to compel payment.³ Before 1276 Pierre had already retired from office,⁴ and in that year Raymond was superseded as collector of the sexennial tenth by Arditio and as collector of papal dues by Geoffrey of Vezzano. An annalist of Barnwell asserted that Arditio received procurations, but he was writing after 1299⁵ and his memory was at fault. Arditio, as was customary, was paid for his services by an allowance of eight shillings a day from the tenth which he collected.⁶ Gerard de Grandson, the elect of Verdun, on the other hand, was empowered to exact procurations of eighteen shillings a day and to take mounts when necessary,⁷ although his only duties were to preach the crusade and collect the tenth. The chronicler probably confused him with Arditio.

Geoffrey of Vezzano, though his original authorization from John XXI is lacking, is shown by his acquittances to have received seven shillings a

¹ *Regs. d'Urbain IV*, I, 1, 3.

² *Regs. de Clément IV*, 771; *Cal. Pap. Regs. Letters*, I, 424.

³ Worcester Diocesan Registry, Reg. of Giffard, fols. 37, 37v.

⁴ In 1273 the two nuncios demanded their procuration of 16s. by a joint letter; in 1275 Raymond wrote alone asking only for 8s. for himself: *ibid.*, fols. 38, 49v.

⁵ He styled Geoffrey archbishop: *Liber de Bernewelle*, p. 124. Geoffrey was not appointed bishop until 1299.

⁶ Above, p. 324.

⁷ The original authorization issued by Gregory X was renewed by Innocent V on 30 April 1276: Lunt, 'A Papal Tenth,' *E.H.R.*, xxxii, 70.

day for procurations during each year of his long residence in England.¹ The letter of authorization issued to him by Martin IV on 18 March 1282 was addressed to the archbishops, bishops, bishops elect, abbots, priors, deans, archdeacons, provosts, officials, rectors and other prelates of churches, chapters, convents, ecclesiastical persons, and the Cistercian, Cluniac, Benedictine, Augustinian and other orders, including the Hospital, the Temple and St Mary of the Teutons, to whom the letter might come. It was of the same type as the letters given to Leonard and Sinitius, establishing the number of mounts as four or five and of persons as six or seven and the amount of procurations at seven shillings a day.² Honorius IV granted to Geoffrey, on 17 April 1286, three shillings of procurations a day in addition to the seven previously authorized,³ but a year later and also during the pontificate of Nicholas IV the collector was receiving only the customary seven shillings.⁴ All of the collectors who followed Geoffrey previous to 1327 were awarded procurations of seven shillings a day.⁵ Gerard of Pecorara was also authorized to take mounts when necessary, but he was the last collector before 1327 to receive that privilege.

The collectors sent copies of their letters of authorization to the bishops for publication,⁶ and they usually relied upon the bishops for the collection of the procurations,⁷ though they sometimes employed other local agents.⁸ A variant method was to ask the bishop to notify the clergy who owed procurations to pay them directly to the collector before a certain date.⁹ John XXII formally empowered Rigaud to have the bishops receive his procurations and account to him for them, or to utilize any

¹ Worcester Diocesan Registry, Reg. of Giffard, fols. 69^v, 70, 131; *Reg. of Wickwane*, pp. 245, 246; Muniments of Dean and Chapter of Westminster, 53/9439, 9440, 9442; of Durham, 3427, 3813, 4228, 4236, 4376, 4601, 4644, 4920, 5058; of Norwich, Obedientary Rolls 4, 5, 6, 11, 20. For the last references I am indebted to Professor A. H. Sweet.

² Worcester Diocesan Registry, Reg. of Giffard, fol. 144^v.

³ *Cal. Pap. Regs. Letters*, I, 486.

⁴ Muniments of Dean and Chapter of Westminster, 53/9439; Muniments of Dean and Chapter of Norwich, Obedientary Rolls, 11, 20.

⁵ *Reg. de Benoît XI*, 1220; Lambeth Palace Library, Reg. of Winchelsea, fol. 19; *Reg. of Gandavo*, I, 206, 207; *Reg. Dunelmense*, I, 459, 460; *Collectorie* 350, fol. 57; *Cal. Pap. Regs. Letters*, II, 117, 126, 453; Muniments of Dean and Chapter of Lincoln, Bj. 2. 4, 5.

⁶ Worcester Diocesan Registry, Reg. of Giffard, fols. 144–45; *Reg. of Gandavo*, I, 206, 207.

⁷ Worcester Diocesan Registry, Reg. of Giffard, fols. 37–38; *Reg. of Wickwane*, pp. 240, 245, 246; *Reg. of G. Giffard*, II, 145, 154; *Reg. of Swinfield*, p. 366.

⁸ Worcester Diocesan Registry, Reg. of Giffard, fol. 49^v; Lambeth Palace Library, MS. 499, fol. 257^v; Muniments of Dean and Chapter of Durham, Misc. Charters, 3402, 3813, 3427, 4202, 4228, 4236, 4298, 4357, 4376, 4548*, 4548†, 4601, 4644, 4920, 5058; of Worcester, B 1621.

⁹ *Reg. Dunelmense*, I, 459; *Worcester Sede Vacante Reg.*, p. 83; *Liber Albus of Worcester*, p. 40; Muniments of Dean and Chapter of Lincoln, A. 1. vol. 14, fols. 114, no. 4; 118, nos. 13, 15.

other method of collection which seemed better to him.¹ A letter which Raymond de Nogaret and Pierre d'Aussone wrote to the official of the bishop of Worcester on 2 March 1273 is typical of the ordinary relations between the collectors and the bishops. They ordered the official to warn all abbots, priors, cathedral and conventual chapters, including those of the Cistercians, Templars and Hospitallers, to pay to himself or the collectors 16 shillings within ten days of receipt of the notice, under penalty of suspension from divine services and interdict. The official was to send the money to them within a fortnight after 9 April and to provide them with a list of the payers and debtors.² When the payments fell too far behind, a collector might provide the bishop with a list of the debtors and urge him to hasten the collection of the arrears,³ but a collector in this period never seems to have threatened a bishop with censures for failure to produce at a given time the money due for procurations or their arrears.⁴

Despite the growth in the number of the classes of the clergy to whom the papal mandates ordering the payment of procurations to the collectors were addressed, each collector in succession received each year the seven shillings or other sum which he had been authorized to collect from each member of a group of payers which was more or less fixed by custom. I have discovered no complete list of the payers before 1327, but a list compiled by a collector early in the sixteenth century⁵ undoubtedly reflected the general situation which obtained before 1327, though some of the individual payers had changed. In 1282 Geoffrey of Vezzano sent to the bishop of Worcester a list of twenty-nine payers who owed procurations in the diocese.⁶ In the later list the number was the same, but one monastery appears in each which is not in the other. Even if the changes were more extensive in other dioceses, it seems safe to deduce from the two lists that the payers were almost entirely religious houses, cathedral chapters and collegiate chapters. Indeed, two chroniclers who spoke of the monasteries as the sole payers of collectors' procurations⁷ were not far beside the mark. The archbishops, bishops, rural deans and rectors who were sometimes included in the papal mandates appear never to have paid procurations to a collector. Raymond de Nogaret failed also

¹ *Cal. Pap. Regs. Letters*, II, 422.

² Worcester Diocesan Registry, Reg. of Giffard, fol. 38.

³ *Reg. of G. Giffard*, II, 145; *Reg. of Wickwane*, pp. 245, 246.

⁴ The sentences against the delinquent payers went into effect: Muniments of Dean and Chapter of Durham, Misc. Charter 3806.

⁵ MS. Ottoboniano Latino 2948, fols. 50^v-64^v.

⁶ Worcester Diocesan Registry, Reg. of Giffard, fol. 131.

⁷ *De Antiquis Legibus Liber*, p. 158; Wykes, *Chron.*, p. 214.

to collect procurations from the Cistercians, though he succeeded in arranging a compromise whereby the whole of the Cistercian houses paid him a 'curialitas.'¹ The Cistercians, however, appear eventually to have lost their privilege of exemption from collectors' procurations as they did from those of other papal nuncios. In 1309 the king claimed exemption for his free chapel of St Martin-le-Grand and ordered William Testa not to collect procurations from it.² If a bishop represented to a collector that a religious house was too poor to pay procurations, the collector might reduce the amount demanded or cancel the procuration as the occasion seemed to require.³ Thus the list of payers changed slightly from time to time, but remained for the largest part ever the same.

From the procurations of collectors the papacy received nothing unless a collector died leaving procurations still owed to him. Those due Geoffrey of Vezzano at his death were claimed for the pope, because Geoffrey died intestate,⁴ and those owed to William de Balaeto appear to have been delivered to the papal camera by his executor.⁵ Geoffrey's procurations were assigned for collection first to special administrators and later to his successors in the office of collector.⁶

The procurations of collectors were the source of occasional complaints from the clergy. A chronicler of Barnwell listed them among several papal financial exactions which were stripping the religious of their skins.⁷ The convocation of Canterbury expressed its discontent in 1269 over the procurations demanded by Sinitius.⁸ At the parliament of Carlisle in 1307 complaint was made of the increase from one to four of the papal collectors supported by procurations, but it was without foundation.⁹ The procurations of collectors do not appear to have been as great a grievance as those of other nuncios and legates. Though they were more continuous, they were much less in amount and they fell upon a smaller group of the clergy.

11. PROCURATIONS OF OTHER ENVOYS DURING THE PONTIFICATE OF URBAN IV

Urban IV placed a comparatively light burden upon the English clergy for procurations. The archbishop of Cosenza, whom he sent to release

¹ Lambeth Palace Library, MS. 499, fol. 257v; *Coucher Book of Kirkstall*, p. 45.

² *C.C.R. 1307-13*, p. 236.

³ *Reg. of Swinfield*, p. 366.

⁴ Above, p. 512.

⁵ *Cal. Pap. Regs. Letters*, II, 453.

⁶ Above, p. 512.

⁷ *Liber de Bernewelle*, p. 124.

⁸ Wilkins, *Concilia*, II, 19.

⁹ Above, p. 490.

Henry III and Edmund from their oaths concerning Sicily, and Bernard of Siena, whom he sent on the affairs of Constantinople, received letters of commendation to the English clergy which said nothing of procurations.¹ The archdeacon of Paris, who came in 1263 as the bearer of papal letters, received procurations for sixteen months, but the chronicler who supplied the information did not say whether they took the form of entertainment or payments in money.² Guy Fulcodi, the only legate dispatched by Urban IV, could not have levied procurations, because the barons did not permit him to enter England. Indeed, the only envoy, other than the collectors, whose receipt of pecuniary procurations is fully attested in any evidence which has come to my attention was the nuncio, Pontius Nicholas, provost of Montcenis. On 9 July 1263 his proctor acknowledged receipt of £3 from the prior of Durham for procurations.³

12. OTTOBON'S PROCURATIONS

Ottobon, cardinal deacon of S Adriano, whom Clement IV dispatched to England as legate, attained new heights in the levy of procurations. He demanded the 'immoderate and unaccustomed' sum of six marks during each of the three years of his sojourn.⁴ The payers of the procurations were not defined clearly by contemporary chroniclers, but two cardinals who collected procurations in 1295 professed to follow Ottobon's practice, and they examined many witnesses to determine what his methods had been. They demanded six marks from each archbishop and bishop, from each abbot, prior or other prelate of a collegiate church, from each chapter or convent of a cathedral, collegiate or monastic church which had its revenues separate from those of the head of the group, from each of the heads of the houses of the Templars and Hospitallers, and from any other exempt or non-exempt religious houses not included in the preceding classes. If any one of these would be too greatly burdened, parochial churches might be required to contribute to the procuration in proportion to their revenues.⁵ Payment was enforced by ecclesiastical censures.⁶ The monastic chroniclers were stirred to sharp criticisms by

¹ *Cal. Pap. Regs. Letters*, I, 408; Lansdowne MS. 402, fol. 91v. For the latter reference I am indebted to Professor Hugh MacKenzie.

² Gervase of Canterbury, *Cont.*, II, 231, 232.

³ Muniments of Dean and Chapter of Durham, Misc. Charter 4018. The proctor was Peter de Stayngrave. The acquittance does not specify whether the sum represented only the procuration owed by the prior or money which the prior had collected from other payers.

⁴ Cotton, *Historia*, p. 140; William of Newburgh, *Cont.*, p. 553; *Ann. de Oseneia*, p. 217.

⁵ Cotton, *Historia*, pp. 283-92. On the possibility that Ottobon in one or more years levied procurations of 2d. in the mark on the assessed value of the income of the clergy, see below, p. 555

⁶ William of Newburgh, *Cont.*, p. 553.

the excessive rate of Ottobon's procurations, and they made the customary remarks about the money bags filled with English gold and silver which he carried across the sea with him when he left in 1268.¹ Even the convocation of Canterbury was moved in 1269 to express its sense of grievance over the burden placed upon the English clergy by the legate.² In 1272 the procurations which were still owed to the cardinal in Ireland were assigned to the subsidy for the Holy Land,³ but no similar arrangement with regard to English arrears was recorded, though they appear still to have been in process of collection as late as 1274.⁴

13. PROCURATIONS, 1268-1290

After the departure of Ottobon, the English clergy remained comparatively free from demands for the payment of procurations to legates or solemn nuncios for a long period. Until 1290 the papal envoys, other than the collectors, who came to England were for the most part nuncios or couriers carrying letters to the king,⁵ or envoys passing through England on journeys to Scotland or Ireland.⁶ Any procurations which they may have been empowered to levy could not have been a serious burden upon the clergy.⁷ This temporary period of quiet was broken once in 1281 by the appearance of Raymond Argerii, dean of Le Puy, who came as a nuncio of Martin IV to intervene with Edward I in behalf of Amaury de Montfort. He had been commissioned originally by Nicholas III, but the pope died before he began his journey, and he received a new commission from Martin IV on 20 September 1280.⁸ By both popes he was authorized to receive maintenance from the English clergy. He arranged with the archbishops to have his procurations of three marks each collected by the bishops.⁹

14. PROCURATIONS, 1290-1294

Beginning in 1290 papal nuncios who were entitled to levy pecuniary procurations began to arrive more frequently. On 15 July Nicholas IV

¹ Wykes, *Chron.*, p. 219; Rishanger, *Chronica*, p. 59.

² Wilkins, *Concilia*, II, 19.

³ *Cal. Pap. Regs. Letters*, I, 444.

⁴ Lambeth Palace Library, MS. 242, fols. 11, 18^v, 24; 499, fols. 256, 256^v.

⁵ Addit. MS. 36762, fols. 8^v, 10; Treasury of Receipt, Misc. Bk. 201, pp. 8, 9, 52.

⁶ *C.P.R. 1272-81*, p. 146; Chanc. Misc. 4/5, fols. 1-8.

⁷ See, for example, *Reg. of Pontissara*, II, 829.

⁸ *Cal. Pap. Regs. Letters*, I, 463.

⁹ *Reg. of G. Giffard*, II, 124, 125, 139. In 1286 Honorius IV accredited the archbishops of Ravenna and Monreale to Edward I as nuncios, but I have found no evidence that they levied procurations in England: Rymer, *Foedera*, I, 674.

ordered the customary classes of the clergy to whom the mandate should be presented to provide the bishop of Grosseto, whom he was sending as nuncio to the king of England, with two marks a day and with necessary replacements of his twelve mounts.¹ The procurations appear to have been levied in England in the customary manner. The clergy of the parochial churches dependent upon the abbey of Furness delivered to the nuncio two marks,² from which it may be deduced that he received a full procuration from each payer, though his sojourn in England was brief.

In the next year Bernard, bishop of Tripoli, was dispatched to England with the powers of a nuncio. His letter of authorization³ was in the same terms as that of the bishop of Grosseto⁴ except for an additional clause requiring neighboring places to contribute to his procuration if he should have occasion to stop long in any one place. Since this requirement was already established by canon law, the clause actually conferred upon Bernard no power which his predecessor had not possessed. Yet he instituted a method of assessment and levy of his procurations which appears to have been entirely new in England. The previous solemn nuncios, Otto, the archbishop of Messina, Arlotus, the dean of Le Puy and the bishop of Grosseto, had received full procurations, though none of them had remained in England longer than a few months. The bishop of Tripoli sought procurations only for the number of the days of his stay in England. He computed two marks for each day and apportioned the whole sum among the several dioceses, ordering each bishop to forward to him a specific sum before his departure from London, which was set for 25 April 1292.⁵ The amount assigned to the diocese was to be distributed proportionately among all those whom the pope had ordered to pay procurations except the Templars and Hospitallers who had already satisfied the nuncio for their share of the impost. The amount assessed against the diocese of Norwich was twenty marks and that against the diocese of Worcester fifteen marks. Since there were at least thirty payers in the latter, the nuncio evidently asked for much less than full procurations.

Bertrand de Got, who came to England as nuncio in 1294, reverted to

¹ *Reg. of le Romeyn*, II, 92, 93. The clause with regard to mounts is ambiguous. It might be translated twelve mounts and the necessary replacements of them, and the editor ascribes that meaning to it. In the mandate issued in behalf of another nuncio in the next year the similar clause clearly authorizes only replacements, and this was the common formula.

² William of Newburgh, *Cont.*, p. 574.

³ 10 September 1291: Cotton, *Hist.*, pp. 223-25; Worcester Diocesan Registry, Reg. of Giffard, fols. 349v, 350.

⁴ The variant reading of the clause concerning mounts has been noted above.

⁵ Letters to the bishops of Norwich and Worcester were dated 12 and 26 January: Cotton, *Hist.*, pp. 225, 226; Worcester Diocesan Registry, Reg. of Giffard, fol. 349.

the older method of levy. Though he later became Pope Clement V, he was at the time only a canon of Lyons,¹ and his procurations were set at twenty shillings a day. His authorization was otherwise a virtual repetition of the letter issued in behalf of the bishop of Tripoli.² His administration of it is illustrated by a solitary piece of information. When he stopped with the canons of Dunstable on his way to the king in Wales, the canons paid him one pound for the procuration of one day and supplied him with a palfrey, under threat of an interdict being placed upon the monastery. When the nuncio returned, he stopped again at Dunstable, and the canons paid him a second pound for the procuration of another day.³

15. PROCURATIONS OF CARDINALS BERARD AND SIMON, 1295-1297

Berard, cardinal bishop of Albano, and Simon, cardinal bishop of Palestrina, who were appointed by Boniface VIII in 1295 to establish peace between the kings of France and England, were granted power to collect procurations from the clergy of the places to which they should go during their presence or their absence. Their authorization, directed to the classes of clergy customarily addressed in such letters, ordered those in the regions through which the nuncios should pass or in which they should stay to make liberal provision for the necessities of the nuncios and their followers and for the replacement of their mounts. It gave the nuncios discretion to make the mandate applicable also to the clergy of adjacent and remote regions, and, as had become customary in such letters, it sanctioned the use of ecclesiastical censures to enforce payment and suspended all exemptions from liability to pay procurations. It did not, however, state the amount of one procuration.⁴

The nuncios issued their executory letters on 8 and 25 July, sending copies both to the bishop and to two collectors whom they appointed in each diocese.⁵ The collectors were in the dioceses of Norwich and Ely the bishops' officials and the sacrists of the cathedrals and in the diocese of London the bishop's official and the dean of St. Paul's.⁶ They were commissioned to exact one procuration of six marks for both cardinals according to the method and form previously employed by Ottobon. When the nuncios learned that the collectors could not obtain detailed information concerning Ottobon's procedure, they held an inquiry, and,

¹ Mollat, *Les Papes d'Avignon*, p. 32, n. 1.

² 3 October: Cotton, *Hist.*, pp. 259-61.

³ *Ann. de Dunstaplia*, p. 388.

⁴ 20 February: Cotton, *Hist.*, pp. 286-89; *Reg. of Halton*, I, 91-94.

⁵ Cotton, *Hist.*, pp. 283-92.

⁶ Cotton, *Hist.*, p. 283; *Liber de Bernewelle*, pp. 235, 236; *C.C.R. 1288-96*, p. 423.

on the basis of the information which they elicited, they listed for the collectors the classes of the clergy from which the procurations were to be collected. The collectors were informed that they would be excommunicated if they should be remiss in their duties. They were to pronounce ecclesiastical censures against any who failed to pay, and, if necessary, to call for the help of the secular arm. They could grant absolution and dispensation to those who had incurred penalties whenever the payments in question should have been rendered. For this service they were to make no charge, but they were authorized to take moderate fees for written acquittances.¹ The collectors could, if they chose, have the procurations collected by others, but the substitutes must take oath to render a faithful account to the nuncios. The proceeds were to be delivered to those whom the cardinals should specify within a month of the receipt by the collectors of their commissions.

The groans of contemporary chroniclers leave no doubt that the procurations were collected, and they indicate that the nuncios requisitioned many horses and received many gifts as well.² The demand for a procuration from both the head and the convent of each conventual community in which the revenues were divided between the two caused protest.³ On 30 January 1296 the prior and convent of Westminster recorded in a notarial document that they had paid by themselves apart from the abbot six marks to the nuncios as a courtesy and not as a procuration.⁴ The protest did not stop the practice, and the rose doubtless smelled as sweet to the nuncios under another name. The king gave strong support to the cardinals. He ordered the compulsory processes of the government to be used after excommunication had failed to induce debtors to pay the procurations, gave safe conduct to members of the Clarenti of Pistoia, whom the pope had ordered the nuncios to appoint receivers of the money, and permitted the merchants to transport the money to France.⁵ Nevertheless he forbade the collectors to exact procurations from his free chapel of St Martin-le-Grand.⁶

On 9 October 1296 the nuncios, though they were then in Paris, ordered procurations to be paid by the English clergy for the second year.⁷ This

¹ The abbot of Osney charged *ld.*: Blomfield, *Deanery of Bicester*, II, 136.

² Hemingburgh, *Chron.*, II, 68, 69; *Liber de Bernewelle*, pp. 235, 236; *Ann. de Wigornia*, pp. 521, 522; *Flores Historiarum*, III, 280; Rishanger, *Chronica*, p. 382; Cotton, *Hist.*, pp. 292, 293.

³ Two chroniclers who complained of double procurations apparently referred to this practice.

⁴ Muniments of Dean and Chapter of Westminster, 9499. I am indebted to Professor A. H. Sweet for this reference. For other instances of double procurations, see Graham, *Ecclesiastical Studies*, p. 304.

⁵ *C.P.R. 1292-1301*, pp. 142, 150, 170, 210, 255; *Cal. Pap. Regs. Letters*, I, 563.

⁶ *C.C.R. 1288-96*, p. 423.

⁷ *Reg. of Halton*, I, 90-94; Hemingburgh, *Chron.*, II, 69; Cotton MS. Vesp. E xxii, fols. 10-11^v.

time they ordered the bishops to collect them and instituted a new method of apportionment. Four pence from each mark according to the valuation used for the collection of the tenth were to be levied not only from prelates, chapters and convents but also from the rectors of parochial churches. The cardinals made no claim that this apportionment was based on any precedent set by Ottobon, but it may have been. In 1307 a general belief existed in England that Ottobon had levied procurations of this type at the rate of two pence in the mark.¹ Since the clergy in that year were attempting to secure a reduction of the rate of four pence in the mark which a papal nuncio was then demanding, the wish may have been father to the belief. Berard and Simon ordered the procurations for the second year to be paid to the bishop within two months of the time when the debtor received notice from the bishop of the amount which he owed.² The collectors were to deliver the money to members of the Clarenti in London, but they were allowed to deduct the expenses of collection. The bishops were permitted to act through deputies, and they seem often to have selected agents who had had previous experience in the collection of tenths. The bishop of Lincoln commissioned the prior and convent of St Katherine without Lincoln and the abbot and convent of Osney, and the bishop of Salisbury appointed the abbots of Milton and Abingdon and the prior of Farley.³

In 1297 the nuncios ordered procurations to be paid to them for the third year.⁴ The procurations were assessed as they had been in the second year, but at the rate of three pence in the mark.⁵ The administrative organization remained the same as it had been in the second year.⁶

The new method of levying procurations as an income tax from all the clergy produced a much larger sum than the old method of exacting a fixed sum from certain prelates, chapters and convents. In the archdeaconries of Salisbury and Dorset the yield of the first year was £56 and that of the third year £151 4s. 3d. The bishop of Salisbury owed £4 for the first year, £25 for the second and £18 15s. for the third.⁷ The added burden, coming at a time when the clergy were being heavily taxed

¹ Below, p. 559.

² The bishop of Lincoln announced the levy on 22 December 1296: Cotton MS. Vesp. E xxii, fols. 10-11v; Muniments of Dean and Chapter of Lincoln, A. 1. vol 14, fol. 120, no. 9.

³ Cambridge University Library, MS. Dd x 28, fol. 16; Blomfield, *Deanery of Bicester*, II, 133, *Reg. of Gandavo*, I, 335-41.

⁴ Certainly before 23 August and probably before 26 June: *Reg. of Swinfield*, p. 345; *C.P.R.* 1292-1301, p. 255.

⁵ Hemingburgh, *Chron.*, II, 69; Muniments of Dean and Chapter of Westminster, 29057; of Ely, 116 B. For the last two references I am indebted to Professor A. H. Sweet.

⁶ *Ibid.*; *Reg. of Gandavo*, I, 338-41; *C.P.R.* 1292-1301, p. 255.

⁷ *Reg. of Gandavo*, I, 338-41. See also Graham, *Studies*, pp. 305, 306.

by the king, naturally produced an outcry. The chroniclers made the time-honored remarks concerning the full money bags of the nuncios,¹ but these no longer gave adequate outlet to the indignation of the clergy. Many bishops and prelates refused for a time to pay the procurations.² In 1297 the convocation of Canterbury protested to the pope against the new system of apportionment and demanded the restoration of the old method,³ and the convocation of York took similar action.⁴ The protests were unavailing, and the new method continued to be employed by later papal envoys.

The nuncios retained only that portion of the procurations which they needed for their expenses. The remainder, at the order of Boniface VIII, was left in the hands of the Clarenti to be delivered to the papal camera.⁵ On 27 October 1297 the pope appointed Geoffrey of Vezzano, whom the nuncios had already commissioned to keep a general oversight over the administration,⁶ to compel the collectors employed by the cardinals to pay the balances due. If need arose, he could cite them to appear before the pope. The money he was to assign to the Clarenti.⁷ When Geoffrey left England in 1300, he appointed Bartholomew of Ferentino and John Bonichi, who had previously acted as his assistant, to collect the arrears of the procurations, and they continued to act in this capacity after his death.⁸ Beginning in 1304 the procurations of the cardinals were included in the commissions of papal collectors for a long time.⁹ Geoffrey recovered a substantial portion of them before he left in 1300.¹⁰ Though Gerard of Pecorara reported in 1304 that much was still owed,¹¹ William Testa collected only £175 11s. 8d., and he asserted that only desperate debts remained unpaid.¹²

The amount of the full procuration collected by Berard and Simon in the first year provides the final bit of evidence necessary to establish

¹ *Liber de Bernewelle*, pp. 190, 235; Hemingburgh, *Chron.*, II, 68.

² *Reg. of Swinfield*, pp. 344, 345; Graham, *Studies*, pp. 306, 307.

³ Lambeth Palace Library, *Reg. of Winchelsea*, fol. 309v; *Reg. of G. Giffard*, p. 490; Graham, *Studies*, p. 307.

⁴ *Reg. of Corbridge*, I, 13.

⁵ *Cal. Pap. Regs. Letters*, I, 563; *Regs. de Boniface VIII*, 733, 3001; Lunt, *Papal Revenues*, I, 109.

⁶ *Reg. of Swinfield*, pp. 344, 345.

⁷ *Regs. de Boniface VIII*, 2088; *Cal. Pap. Regs. Letters*, I, 573. Geoffrey ordered the bishops to carry out the terms of the papal mandate on 1 February 1298: Muniments of Dean and Chapter of Lincoln, A. 1. vol. 14, fol. 117, no. 12.

⁸ Acquittance issued by them on 22 July 1302: Muniments of Dean and Chapter of Ely, Chapman no. 116 B.

⁹ Below, pp. 621-23; Göller, *Einnahmen unter Johann XXII*, p. 79*.

¹⁰ *Reg. of Gandavo*, I, 338-40.

¹¹ Lunt, 'Account,' *E.H.R.*, xxviii, 320.

¹² Lunt, 'William Testa,' *E.H.R.*, xli, 353-55.

the principle which controlled the rate of the procurations levied by a solemn papal envoy under the old system. Since Ottobon, who was a legate, had received only the same amount for a full procuration as Berard and Simon who were nuncios, the difference in rate did not depend upon the distinction between the offices of legate and nuncio. Cardinals received the same amount for a full procuration whether they were legates or nuncios, though the rate had increased with Ottobon from four to six marks. Solemn nuncios of lower rank in the hierarchy could not collect as large a sum for one procuration. The amount which an archbishop could levy was three marks, a bishop two, and a canon one mark and a half.¹ The rate of the procurations which a solemn papal envoy might levy was evidently graded in relation to the position which the envoy held in the hierarchy.²

16. PROCURATIONS, 1297-1307

During the remainder of the reign of Edward I several papal nuncios came to England.³ They were for the most part messengers bearing papal letters to the king or to Prince Edward. The bishop of Vicenza, with whom the king had conversations in 1300, and the bishop of Spoleto, who was in England in the next year, appear to have transacted business⁴ which would give them the rank of solemn nuncios and entitle them to receive pecuniary procurations, but evidence that they levied such procurations has not been forthcoming. Gayllard de Pynsaco⁵ and John de Corbyno,⁶ squires of the papal household, who acted as nuncios in England and other parts of the British Isles in 1306 and 1307,⁷ probably exacted procurations in England in the former year. A copy of their authorization to levy procurations was entered in the register of the bishop of Salisbury without comment,⁸ but its inclusion indicates that the nuncios sent it to the bishop for publication as the preliminary step in the collection of procurations. On 25 March 1306, moreover, the prior and convent of Westminster paid to the nuncios a courtesy of £3 for their

¹ Above, pp. 544, 551-53. In 1281 a dean received three marks. In 1324, however, the procurations of an archbishop and a bishop still bore approximately the above ratio: below, p. 568.

² See also Berlière, 'Le Droit de Procuration,' *Bulletin de la Classe des Lettres et des Sciences morales et politiques de l'Académie royale de Belgique*, 1919, p. 509.

³ *Liber Quotidianus Garderobae*, pp. 67, 163, 184; *C.P.R. 1292-1301*, p. 605; Prynne, *Records*, III, 1068; Exch. K.R. Accounts 364/24, m. 4; Addit. MS. 22923, fol. 10; Palgrave, *Antient Kalendars*, I, 16, 17.

⁴ *Liber Quotidianus Garderobae*, pp. 163, 165, 184; *C.P.R. 1292-1301*, p. 605.

⁵ Otherwise Galhard de Pursaco or Gaillard de Gazaco.

⁶ Otherwise John de Corbino or John de Feraria.

⁷ Muniments of Dean and Chapter of Westminster, 73/12371; *C.P.R. 1307-13*, p. 7.

⁸ 27 January 1306: *Reg. of Gandavo*, I, 221, 222.

necessities.¹ Though this may have been a voluntary gift made by a monastic community to two members of the papal household who happened to be in London, the fact that the courtesy was paid for the necessities of the nuncios coupled with the circumstances under which the prior and convent paid a courtesy in place of a procuration in 1296 leave little doubt that the nuncios levied procurations from the customary payers at the rate of £3 for each procuration, taking a procuration from both the head and the convent of religious communities which had divided incomes. The rate implies either that Clement V increased the amount of the procuration awarded to nuncios who were not cardinals, or that budding knights ranked higher than bishops.

The only cardinal who came to England as nuncio during these years was Peter of Spain, bishop of Sabina. He received a letter of authorization similar to that issued to Berard and Simon except in two particulars. He was empowered to collect such procurations as a legate *a latere* was accustomed to receive, and they were to be paid proportionately to the extent of their resources by the clergy belonging to a list of classes so comprehensive as to be practically universal.² Though the latter provision would seem to designate such a levy as the bishops of Albano and Palestrina had made in 1296 and 1297, Peter altered the method in an important particular. His executory letters, issued in February 1307, ordered the bishops to collect by themselves or by deputies twelve marks from each of the payers in the classes named, if the payer was able to bear the charge. If he was too poor, the bishop was to collect from him 4d. in the mark of his revenues as assessed in the current valuation. All the clergy in receipt of income were liable for payment in one form or the other, except those in houses of God, lazar houses and monasteries of poor nuns. Those who should not pay within twelve days of receipt of notice would fall under sentence of excommunication, and the bishop, if he should neglect to execute the nuncio's mandate or to deliver the proceeds on demand to the nuncio's proctor, would be forbidden the entrance of a church for three days, suspended from office for the next six days, and thereafter excommunicated. All this delay in the excommunication of

¹ Muniments of Dean and Chapter of Westminster, 73/12371.

² 28 November 1306; *Reg. of Gandavo*, I, 241, 242. Rishanger states that Cardinal Peter of Spain and a bishop who came to England in 1298 to arrange the marriage between Edward I and Margaret took procurations of 6 marks from religious houses and 4d. in the mark from other ecclesiastical persons: *Chronica*, p. 417. This marriage was arranged by treaties of 1298 and 1299, and took place in the latter year. The same treaties provided for a marriage between Prince Edward and Isabella, which did not take place until 1307. It was the latter with which Peter was concerned: *Flores Historiarum*, III, 136; Cotton MS. Domit. A XIV, fol. 212v. Peter was not yet a cardinal in 1298: Eubel, *Hierarchia*, I, 12. Rishanger apparently confused the marriage with which Peter was associated, and so misplaced his levy of procurations chronologically.

the bishop was due, the cardinal explained, to the reverence which he felt for the pontifical office.¹

The publication of this demand provoked a strong spirit of opposition among the clergy. The canons of Beverley held a full meeting of the chapter on 7 March, where they decided to hurl defiance at the cardinal. 'We do not propose in the least,' they wrote to him, 'to pay twelve marks according to the form of your mandate.' The spiritual revenues of the provost, they explained, were appropriated to the support of the canons, vicars and other ministers of the church, and his temporal income was only £40. They had, therefore, instructed the provost to pay 4d. in the mark on that sum.² Some of the clergy appealed to the king, and his council ordained that the cardinal could have no more than Ottobon had formerly received, which was not over half the rate being demanded.³ A large number of the clergy took advantage of the conflict of mandates and refused to pay any procurations.⁴ The king, however, did not allow his prohibition to remain long in effect. On 24 April he ordered the bishops and other collectors of procurations to proceed with the levy,⁵ and the nuncio followed the royal writ with an order directing the bishops to pronounce excommunicated all who had not yet paid their procurations.⁶ So stubborn was the resistance, however, that the royal revocation was repeated on 4 May with the explanation that the king desired the nuncio to have procurations according to the form of the papal mandate,⁷ and as late as 28 June the collectors in the diocese of Lichfield were warned that they were to proceed with the collection despite the earlier royal mandate to the contrary.⁸

Although some of the debtors had paid their quotas while the royal prohibition was in effect, the collection proceeded slowly after it had been removed. As early as 14 April the members of the firm of Spini, whom Peter had appointed to receive the proceeds from the collectors, acknowledged receipt from the receivers in the diocese of Salisbury of £80, but

¹ *Reg. of Gandavo*, I, 240-42; *Chapter Act Book of Beverley*, I, 187, 188. The bishop of Salisbury appointed his archdeacons and the cathedral dean as deputies, and the bishop of Lincoln appointed the prior of St Katherine without Lincoln as one deputy: *Reg. of Gandavo*, I, 243-45; Cambridge University Library, MS. Dd x 28, fol. 16.

² *Chapter Act Book of Beverley*, I, 187, 188.

³ *Flores Historiarum*, III, 136; Cotton MS. Domit. A XIV, fol. 212^v. I have discovered no copy of the prohibition, but it had been issued before 28 June 1307: *C.P.R. 1301-7*, p. 537. Ottobon's rate was claimed to have been 2d. in the mark: *Lit. Cantuarienses*, II, 174, 175.

⁴ *Reg. of Gandavo*, I, 245-47.

⁵ *C.P.R. 1301-7*, p. 520.

⁶ *Reg. of Gandavo*, I, 245-47.

⁷ Rymer, *Foedera*, I, 1015; Prynne, *Records*, III, 1180.

⁸ *C.P.R. 1301-7*, p. 537.

this was only a small part of what was due. In response to an order from the cardinal, the bishop of Salisbury appointed proctors to render a general account to the nuncio in London on 20 June.¹ The nuncio discovered, apparently from this and similar accounts, that the collection was proceeding unsatisfactorily largely because he had given the collectors discretion to decide whether an individual payer should be charged 12 marks or 4d. in the mark of the assessed value of his income. On 26 June he gave instructions that payers whose incomes were assessed at £100 or more should pay 12 marks, those whose incomes were assessed at less than £100 and more than £4 should pay 4d. in the mark, and those whose incomes were assessed at less than £4 should pay nothing.²

The collectors were granted their necessary expenses, and they were allowed to charge four pence for relaxation from ecclesiastical censures and the letters associated therewith.³ This compensation was a wretchedly inadequate return for the labor and responsibility attached to the office. The feeling of the collectors seems to be reflected in the remark of a chronicler that the cardinal did not wish to do as much in return for the procurations as to issue letters of acquittance for them.⁴ On 14 November, when Peter obtained a royal safe conduct for his departure, he left behind him a smouldering resentment among the payers and the collectors of his procurations.

17. PROCURATIONS, 1307-1314

Of the several nuncios whom Clement V sent to England during the first four years of the reign of Edward II,⁵ the only ones who appear to have levied procurations in money were the abbot of Lagny and Sicard de Vauro, a canon of Narbonne and an auditor of the causes of the papal palace. They were commissioned in 1309 to hold an inquest on the English Templars. The pope granted daily procurations of four florins to the former and of six florins to the latter from the time of their departure from the apostolic see until their return. Later he raised the procurations of the abbot to six florins. Their authorization enumerated the classes of the clergy subject to the tax with such fulness as to include both the higher and the lower clergy. It did not specify, like the authorization of Peter of Spain, that the procurations were to be distrib-

¹ *Reg. of Gandavo*, I, 253-59.

² *Ibid.*, I, 259, 260.

³ *Ibid.*, I, 242, 260.

⁴ Hemingburgh, *Chron.*, II, 254.

⁵ Rymer, *Foedera*, II, 16; *C.C.R. 1307-13*, p. 43; Exch. K.R. Accounts, 373/15, fol. 19^v; Roman Roll, 2 Edward II, m. 4.

uted among them in proportion to their respective resources, but, reverting to the type of letter issued in behalf of Berard and Simon, it empowered the inquisitors, when they made a sojourn in one place, to assess the clergy of adjacent and remote regions at their discretion. Nevertheless, they levied their procurations as an income tax. On 3 September 1309 the abbot and the canon ordered the English bishops to collect, within two months of publication of notice, from the enumerated classes of the clergy a half penny in the mark of the assessed value of their spiritualities and temporalities. They also stated that another half penny would fall due later. The bishops were directed to apply ecclesiastical censures to delinquents and to have recourse to the secular power if necessary. The bishops themselves were threatened with censures for negligence.¹

The bishops, as was customary, appointed deputies to perform the actual work of collection. The first instalment was being collected in the diocese of London in November and in the diocese of Salisbury it became due before 14 January 1310.² On 14 February the inquisitors ordered the collection of the second half penny, and the bishop of Salisbury instructed his collectors to deliver the money to him on 23 April.³ Many arrears were left from the first levy, and for the recovery of these the inquisitors enlisted the aid of the archbishop of Canterbury. He put the question before convocation, and, acting upon its authority, he ordered the bishops to have the arrears assembled by 19 May and appointed receivers of the money and auditors of the accounts. In these letters he asserted that many collectors had exacted dishonestly from the payers more than they had delivered, and he also ordered the bishops to forbid the collectors to levy procurations from benefices worth less than six marks. On 21 October he renewed his mandate, including this time the arrears of the second levy. The second instalment, however, did not suffice, and on 17 November 1310 the inquisitors dispatched mandates for the collection of a third. This the bishop of Salisbury directed his deputies to have in hand by 4 February 1311.

The archbishop had a final accounting with the inquisitors on 24 May 1311. They claimed procurations at the rate of 12 florins a day for both from 1 June 1309, when they left the papal court, until 1 August 1311. They acknowledged receipt of £1,156 4s. 10d. from the province of Canterbury, £315 14s. 9d. from the province of York and £33 6s. 8d.

¹ *Reg. of Gandavo*, I, 349-54, 366.

² *Ibid.*, pp. 354, 355; Turner and Coxe, *Cal. of Charters*, p. 340; Muniments of Dean and Chapter of Westminster, 53/9445.

³ *Reg. of Gandavo*, I, 364-66; Muniments of Dean and Chapter of Salisbury, Press A, Box A 1.

from Ireland, and professed themselves satisfied in full for all the procurations owed them. Nevertheless, arrears were outstanding, and these the inquisitors empowered the archbishop to collect. On 2 July he ordered the bishops to pronounce the sentence of greater excommunication against such debtors and to summon them to appear before him on 1 August. The list of debts in three archdeaconries of the diocese compiled by the bishop of Salisbury in answer to this communication included only 32 items. The delay of all but one is probably explained by the fact that they were owed by religious houses outside the diocese which the local collectors could not easily reach. When none of the debtors appeared before the archbishop on 1 August, he finally ordered the bishops to sequester the goods of their benefices to the amount of the arrears, taking nothing therefrom for the expenses of collection.¹

When Clement V learned of the trouble between Edward II and his barons, he commissioned Arnaud, cardinal priest of S Priscia and vice chancellor, and Arnaud, bishop of Poitiers and camerarius, to attempt a reconciliation.² Although he gave to the two equal authority for this purpose, he conferred upon the cardinal many powers in which the bishop did not share.³ Among these was the right to collect procurations.⁴ The papal letter to the cardinal treated the subject briefly.⁵ It gave him power to levy procurations from named classes of the clergy of the British Isles, when present or absent, and to compel payment by ecclesiastical censures, despite any apostolic constitutions or indulgences to the contrary. It provided no indication of the nature of the procurations or of the manner of their levy. The mandate addressed to the clergy was more explicit. It ordered them to provide the cardinal nuncio and his household with necessities and replacement of mounts and explained that if he stopped in one place, the clergy of adjacent and other regions should share the burden.⁶

The cardinal's first intention was to utilize for the collection of his procurations the machinery which had been established by the inquisitors. He appointed the archbishop of Canterbury and the bishop of London to take charge of the administration in the province of Canterbury, and he made the prior of Holy Trinity in London, who had acted in the same capacity for the inquisitors, the receiver of the money. On

¹ *Reg. of Gandavo*, I, 366-74, 408, 409, 427-29; *Reg. of Reynolds*, p. 44; *Reg. of Drokensford*, p. 44.

² 14 May 1312: *Reg. Clementis V*, 8786.

³ *Cal. Pap. Regs. Letters*, II, 105-8.

⁴ Both were authorized to draw upon Testa, the papal collector, for their expenses: *Reg. Clementis V*, 8824.

⁵ 30 October 1312: *Reg. of Gandavo*, I, 455.

⁶ 23 May 1312: *Reg. Clementis V*, 8788.

2 January 1313 the archbishop asked each bishop to advance a stated sum to meet the immediate needs of the cardinal and to take his payment from the procurations of his diocese after they had been collected. From the bishops of Salisbury and Worcester he requested respectively £45 and £24. The loan made by the bishop of Salisbury from the proceeds of a clerical subsidy which was being collected in his diocese in order to meet the archbishop's demand in behalf of the cardinal illustrates the strain which must have been placed upon the clergy frequently by the unexpected demands for the immediate payment of heavy procurations.¹

Before the archbishop proceeded with the levy, he raised several questions with regard to the power of the nuncio to exact the type of procurations which he demanded by virtue of his papal authorization, and with regard to the nuncio's orders concerning the levy. The nuncio met his objection that the rectors were not named in the papal authorization and had never paid procurations before with the reply that rectors were included in the letter under 'ecclesiastical persons,' giving him implied — if not express — power to levy from them, that registers of previous cardinal nuncios displayed rectors as payers of procurations,² and that the rectors were liable for them by common law.³ In answer to the archbishop's request that a definite line be drawn between those who should pay 12 marks each and those who should pay 3d. in the mark on the assessed value of their revenues, the nuncio named an assessed value of £200. The archbishop's complaint that twenty days gave him a time too short to complete the collection evoked the explanation that the period was to be reckoned from the date when he gave notice of collection and the reminder that most of the bishops had been notified of the procurations at an assembly held in London at the preceding Christmas season.⁴ Though he did not mention it in his reply, the nuncio also retained the distinction introduced by Berard and Simon between the revenues of the heads and the convents of religious houses, requiring each to pay 12 marks if the separate incomes amounted to £200 or more.⁵

The archbishop wrote after 7 May, and before he received the reply, which was dated 12 May, he died. The nuncio thereupon ordered each bishop to collect the procurations in his own diocese, sending to each a

¹ *Reg. of Gandavo*, i, 438, 439, 469, 470; *Reg. of Reynolds*, p. 73.

² The authorizations of Peter of Spain and the inquisitors had mentioned rectors specifically, but that of the bishops of Albano and Palestrina had not: Cotton, *Hist.*, p. 286; *Reg. of Gandavo*, pp. 241, 352. Thus the more recent precedents gave some ground for the archbishop's contention.

³ For the law see above, p. 532.

⁴ *Reg. of Gandavo*, i, 461–63.

⁵ Muniments of Dean and Chapter of Westminster, 53/9441; Duchy of Lancaster, Misc. Bk. 5, document inserted between fols. 120^v and 121.

commission of the usual type accompanied by a copy of the replies which he had made to the archbishop. The commission exempted hospitals for the poor, lazaret houses, houses of poor nuns and benefices assessed at six marks or less from the levy. The bishop was required to have the money in his hands within twenty days of receipt of the nuncio's mandate, and to deliver it at London before 1 July. The collection ran the usual course. The bishop of Salisbury was able to produce on the prescribed date only £78 12s. 3¼d. He was then given power to absolve from ecclesiastical penalties those who had incurred them by delay, provided they should render payment, and his deputies were ordered to account in London before the nuncio's proctors, one of whom was the papal collector, William de Balaeto, and to bring with them what arrears they had recovered meanwhile. Thereafter, on 6 August, a mandate for sequestration of the revenues of the remaining debtors went out.¹ The collection of arrears continued after the departure of the cardinal, and in 1316 John XXII ordered William de Balaeto to exact in behalf of the cardinal the sums still due.² These procurations caused enough dissatisfaction to bring forth from one chronicler the customary gibe concerning the full bags of money which the nuncios carried away with them.³

18. PROCURATIONS, 1316-1327

John XXII at the beginning of his pontificate sent the customary nuncio to announce his elevation to the papacy. The nuncio received a gift from the king,⁴ but like the nuncios sent by previous popes on the same errand, he did not levy pecuniary procurations from the clergy. The same appears to have been true of two envoys of humble rank who received a royal safe conduct on 8 May 1317.⁵ On the preceding 17 March, however, the new pope had already commissioned the two cardinals, Gaucelme, priest of Ss Marcellino e Pietro, and Luke, deacon of S Maria in Via Lata, as nuncios to make peace between England and Scotland.⁶ He authorized them to levy such procurations as one legate or nuncio who was a cardinal was accustomed to receive in England, namely, the larger amount. The payers and the powers of the nuncios to enforce payment were defined in the same terms as in the bulls of Cardinal

¹ *Reg. of Gandavo*, I, 454-69; *Liber Albus of Worcester*, p. 89; *Reg. of Stapeldon*, p. 273; *Reg. of Reynolds*, p. 75.

² *Cal. Pap. Regs. Letters*, II, 443.

³ *Flores Historiarum*, III, 154.

⁴ Stapleton, 'Summary,' *Archaeologia*, XXVI, 321; *C.P.R. 1313-17*, p. 602.

⁵ *C.P.R. 1313-17*, p. 649.

⁶ *Reg. of Stapeldon*, pp. 351-53; *Cal. Pap. Regs. Letters*, II, 127.

Arnaud, except that rectors were named specifically among the payers.¹

The cardinals appointed the bishops to collect the procurations by letters dated 29 June 1317.² They demanded 4d. in the mark of clerical income as set forth in the current assessment for the tenth, with the exemptions which had now become customary. The bishop was to collect them within twenty days of receipt of the cardinal's letter and to deliver them in London before 1 October to the Spini, assigning a half to each cardinal. The powers of the bishop and the threatened penalties were those which had become standardized in such commissions. The bishop of Hereford appointed the dean and chapter and the abbot and convent of Wigmore his deputies. The former attempted to escape the disagreeable task, pointing out that the bishop's official had always performed it previously. The bishop, who had not yet had time to appoint his official, told them that the dean and chapter of Chichester were acting as collectors without expostulation, and insisted that they fulfil the commission.³ Service as a collector was manifestly compulsory. The administration passed through the same phases as that of the procurations of Arnaud. A part of the money was collected on the prescribed date, orders for the pronouncement of ecclesiastical censures on the debtors followed, sequestration was applied to the goods of the remaining debtors, and eventually the collectors were directed to render their final accounts to the cardinals on 20 January 1318.⁴ On this occasion the king again had to issue a prohibition in order to maintain the exemption of his chapel, St Martin-le-Grand.⁵

If the procurations were levied from all payers at the rate of 4d. in the mark, the yield was a quarter of a tenth, which, if paid in full, would have been slightly more than £5,000. The original instructions given to the bishops by the cardinals made no exception to payment at that rate, but actually the cardinals accepted £8 from some payers whose incomes were over £200 a year. When the collector of later cardinal nuncios refused to accept from the abbot and convent of Bury St Edmunds £8 from each as full payment of procurations due, the abbot, who was attending parliament in London, sent to the convent for memoranda concerning the previous payments of procurations to cardinal legates and nuncios. He

¹ *Reg. of Orleton*, pp. 9-11.

² *Ibid.*, pp. 9-14; *Regs. of Sandale and Asserio*, p. 44.

³ *Reg. of Orleton*, pp. 9-14, 17-20. The bishop of Winchester appointed the abbot and convent of Hyde and the prior and convent of Merton; *Regs. of Sandale and Asserio*, pp. 44, 45.

⁴ *Reg. of Orleton*, pp. 28, 44; *Regs. of Sandale and Asserio*, pp. 36, 37, 53-57, 62, 63, 71; *Liber Albus of Worcester*, p. 65; H.M.C., *Cal. of MSS. of Dean and Chapter of Wells*, I, 186; Muniments of Dean and Chapter of Westminster, 73/12374; of Durham, Misc. Charters, 3819*, 3970, 4314, 5065, 7030.

⁵ *C.C.R. 1313-18*, p. 566.

then wrote to the convent that Gaucelme and Luke had received procurations of £8 a year from many abbeys, priories and other collegiate churches which had an income of more than £200 a year and returned to them the acquittances for procurations of that amount issued to both the abbot and the convent by Gaucelme and Luke.¹ Although the letter of the abbot is not dated, it relates to the procurations which Peter, cardinal priest of S Prassede, and Bertrand, cardinal deacon of S Maria in Aquiro, papal nuncios, demanded in 1338. Their papal letters of authorization defined the nature of their procurations in exactly the terms which had been used in the letters of Gaucelme and Luke; that is, they were to have the larger sum which one cardinal legate or nuncio was accustomed to receive in England for procurations. Unlike Gaucelme and Luke, Peter and Bertrand did not define in their executory letters to the bishops the rate at which the larger procurations were to be levied.² Several of the bishops consequently acted in the same manner as the abbot of Bury and had searches made in their records to ascertain what the rate of the larger sum was. The prior of Canterbury, who searched the registers of Christchurch at the request of the archbishop, reported that his monastery had paid only £8 to Gaucelme and Luke.³ The bishop of Ely, on the other hand, discovered from his registers and other records that the rate of the higher sum was 4d. in the mark,⁴ and the bishop of Lichfield, whose research led him to the conclusion that he had never paid more than 4d. in the mark for the larger sum, proceeded to pay at that rate, bringing his procuration well over £8.⁵ Abundant evidence indicates that Peter and Bertrand finally levied their procurations at the uniform rate of 4d. in the mark.⁶ The apparent conflict of evidence produced by the several searches becomes reconciled, if we recall that the bishops of Albano and Palestrina had levied procurations at the flat rate of 4d. in the mark in 1296. The abbot of Bury did not carry his investigation back that far, and the prior of Christchurch noted only the rate at which the cardinals assessed their procurations in 1295, reporting that erroneously at £8 instead of £4.⁷ The evidence of the ab-

¹ Duchy of Lancaster, Misc. Bk. 5, document inserted between fols. 120^v and 121.

² *Reg. of Grandisson*, II, 863-68; Muniments of Dean and Chapter of Exeter, 2225.

³ *Lit. Cantuarienses*, II, 174, 175.

⁴ Ely Diocesan Registry, Reg. of Montacute, fols. 39^v-41^v, 62^v.

⁵ Lichfield Diocesan Registry, Reg. of Northburgh, II, fols. 78^v, 79.

⁶ *Reg. of Grandisson*, II, 881; Muniments of Dean and Chapter of Exeter, 2224; Lincoln Diocesan Registry, v (Burghersh), fols. 559^v-560^v; Salisbury Diocesan Registry, Reg. of Wyville, fols. 44^v, 45; Muniments of Dean and Chapter of Norwich, Obedientiary Rolls 35, 40. For the last reference I am indebted to Professor A. H. Sweet.

⁷ *Lit. Cantuarienses*, II, 174; Muniments of Dean and Chapter of Canterbury, Reg. L, fol. 70. For the latter reference I am indebted to Professor A. H. Sweet.

bot of Bury combined with that of the prior of Christchurch renders incontrovertible the conclusion that Gaucelme and Luke allowed some payers with incomes of more than £200 to meet their obligation by the render of £8, and renders probable the assumption that they followed the precedent of Arnaud and drew a general dividing line at £200.

Though the cardinals remained in England only two months more than a year,¹ on 18 July 1318 they ordered the bishops to levy procurations for the second year.² Again the ordinary rate was four pence in the mark on the value of assessed income,³ and some wealthy payers were allowed to settle for a lump sum of £8.⁴ The administration, which was committed to the papal collector, Rigaud d'Assier, after the departure of the cardinals,⁵ was conducted in the same manner as that of the first year.⁶

Gaucelme and Luke also forced some monastic communities to supply them with horses in addition to the payment of procurations,⁷ which they were empowered to do by papal letters other than those which authorized them to levy procurations.⁸ They exacted further from the clergy of the diocese of Durham a penny in the mark on the assessed value of their revenues for the expenses of a representative whom they sent to Scotland.⁹ The weight of their exactions caused one chronicler to suggest that they came to England more to the detriment than to the advantage of the public. He told with satisfaction how they were robbed of their purses near Durham in 1317, but added regretfully that they were still able to leave England in 1318 with much money.¹⁰

Though John XXII placed this heavy burden upon the English clergy early in his pontificate, he did not again send cardinals to England as legates or nuncios before 1327, and the nuncios of lesser rank whom he

¹ *Reg. of Orleton*, pp. 9-11; Rymer, *Foedera*, II, 372.

² Muniments of Dean and Chapter of Durham, Misc. Charter 5377; *Reg. of Newport*, pp. 186, 187.

³ Muniments of Dean and Chapter of Durham, Misc. Charters 4166*. In the northern province they were levied on the new valuation: *ibid.*, 3819†, 4343. John de Trokelowe asserts that the cardinals demanded 8d. in the mark for the second year, were denied, and finally accepted 4d.: *Ann.*, p. 100. Murimuth tells virtually the same story concerning the procurations of Peter and Bertrand: *Cont.*, pp. 81, 82.

⁴ Muniments of Dean and Chapter of Ely, Treasurer's Roll, no. 2; of Lincoln, Bj. 2. 4, 5.

⁵ Muniments of Dean and Chapter of Durham, Misc. Charters 3819†, 3928†, 3928*, 5390, Locellus XIX, 88.

⁶ Muniments of Dean and Chapter of Durham cited in the four preceding notes, and Misc. Charters 4170, 4197, 4973, 7090.

⁷ *Liber Albus of Worcester*, p. 66.

⁸ *Cal. Pap. Regs. Letters*, II, 128, 131.

⁹ Muniments of Dean and Chapter of Durham, Misc. Charter 5841.

¹⁰ *Flores Historiarum*, III, 179, 180, 185.

employed were entitled to much smaller procurations. William de Laudono, a Dominican who was reader in the papal palace, was sent as a nuncio in 1320 with authorization to take procurations of three florins a day from all the clergy of England and Wales. He remained in England for only a short period. His royal safe conduct upon arrival was dated 16 February 1321, and his executory letters for procurations were issued on 15 May. They demanded from each bishop a specified quota, which the bishop was left free to levy from the clergy of his diocese in the manner which he should judge to be equitable. They empowered the bishop to use ecclesiastical censures to compel payment, but they made no threat of penalties for failure of the bishop to perform the work committed to him. The amount assessed against the diocese of Hereford was £4, which the bishop paid to the archbishop of Canterbury, who acted as receiver of the nuncio's procurations, on the same day that the nuncio's executory letter was dated.¹ In the diocese of Durham the bishop levied 2½ pence in the mark on the new valuation to meet the demand of the nuncio.²

The archbishop of Vienne and the bishop of Orange came to England as nuncios on several embassies. In 1324 the archbishop was authorized to receive for procurations 14 florins a day and the bishop 10 by a papal letter of the same type which William de Laudono had received.³ They arranged for the archbishop of Canterbury to collect them. On 29 November he sent the necessary instructions to each bishop, supplementing them with further directions on 26 December. The sum of 960 florins was obtained by a levy of a farthing in the mark on the assessed income of the clergy.⁴ On 10 May 1325 the archbishop gave notice that it was necessary to supplement the first levy in order to provide 470 florins for the procurations of an additional thirty-five days. The sum was secured by the collection of a farthing from each £2 of the assessed income.⁵ In the spring of 1326 the same nuncios came on a second mission,⁶ bearing letters authorizing them to levy the same type of procurations.⁷ The archbishop of Canterbury, who again served as their col-

¹ *Reg. of Orleton*, pp. 194-96; *C.P.R. 1317-21*, p. 562.

² Muniments of Dean and Chapter of Durham, Misc. Charter 5072.

³ Lincoln Diocesan Registry, Reg. v (Burghersh), fol. 372v.

⁴ *Ibid.*, fols. 372, 372v, 374v; Muniments of Dean and Chapter of Westminster, 53/9438; Blanford, *Chron.*, p. 151; Winchester Diocesan Registry, Reg. of Stratford, fols. 9, 9v.

⁵ Lincoln Diocesan Registry, Reg. v (Burghersh), fol. 379. In the northern province the same rate was levied on spiritualities according to the old valuation: Muniments of Dean and Chapter of Durham, Misc. Charter 4210.

⁶ *C.P.R. 1324-27*, p. 269.

⁷ 18 and 22 February 1326: *Reg. of Orleton*, pp. 362, 363, 366, 367; Lincoln Diocesan Registry, Reg. v (Burghersh), fol. 389.

lector, was ordered by them, on 10 June, to raise 720 florins for the thirty days¹ of their sojourn in England. The money was collected by the bishops by an assessment of a farthing on each pound of assessed income.² In the autumn they returned to England, accompanied this time by John de Grandisson, archdeacon of Nottingham, who was destined soon to become the bishop of Exeter.³ The archbishop and the bishop were awarded the same amounts of procurations and John was granted 4 florins a day.⁴ On this occasion the nuncios remained in England only from 10 December 1326 to 26 January 1327,⁵ and they were satisfied for their procurations by the levy of a farthing in the mark.⁶

19. SUMMARY

Though papal envoys who levied procurations have doubtless been omitted from this survey, it is probably sufficiently complete to reflect the general course of the development of the tax in England. If papal nuncios and legates received procurations in England before the later part of the eleventh century, they were probably in the form of entertainment. After envoys began to demand procurations in money, the tax was paid only by prelates and conventual or capitular communities. This remained the practice with regard to the procurations of collectors to the end of the period under consideration, and it continued to be true of the procurations of other nuncios and of legates far into the thirteenth century, despite the decree of Innocent III that all churches were liable for procurations. The amount of the procurations which cardinals charged remained for a long time in the neighborhood of four marks. Ottobon raised it to six. He may also have introduced the practice of levying procurations as an income tax on the whole clergy, but it seems more probable that the bishops of Albano and Palestrina first instituted that method in 1296. Thereafter the precedent was always followed when the envoys were cardinals, though the burden upon the wealthier clergy was sometimes lightened by permitting them to pay twelve marks each. The procurations of the cardinals thus became a heavy tax in the closing years of the thirteenth century. Meanwhile the bishop of Tripoli

¹ The MS. reads 'twenty days.'

² Lincoln Diocesan Registry, Reg. v (Burghersh), fol. 389.

³ *C.P.R.* 1324-27, p. 340.

⁴ *Reg. of Grandisson*, I, 317-19.

⁵ *Ibid.*, I, 320.

⁶ Wilkins, *Concilia*, II, 535; Muniments of Dean and Chapter of Lincoln, Bj. 2. 5. In the province of York the rate was a farthing in the pound on spiritualities and temporalities as assessed in the old valuation: Muniments of Dean and Chapter of Durham, Misc. Charters 5090, 5845.

instituted a new method of raising the procurations of nuncios who were not cardinals. He demanded one procuracy for each day that he was in England and divided the sum equally among the clergy who had customarily paid procurations. In the fourteenth century it became the usual practice for nuncios of lesser rank to calculate the total amount of their procurations in this manner, but to collect them as a small income tax from all the clergy. By the end of the period the only nuncios who still collected procurations only from a limited group of prelates, convents and chapters were the papal collectors, whose procurations were comparatively small. Throughout the period nuncios who came merely as messengers were apparently entitled to no more than entertainment from the places where they actually stopped. The pecuniary procurations were burdensome upon those who had to pay them, and, after they began to be levied as income taxes, upon those who had to collect them. The clergy complained of them with particular bitterness in the twelfth century, when they were new, and in the closing years of the thirteenth century and early years of the fourteenth, when they became much heavier than before, but the full money bags which the envoys carried away from England was a subject of satirical comment from the beginning of the period to the end.

CHAPTER XII

THE COLLECTORS, DEPOSITARIES AND BANKERS

1. GENERAL COLLECTORS

THE papacy established a continuous series of general collectors in England long before it made the institution universal.¹ The fragmentary nature of the available evidence makes it impossible to name with certainty the first one in the series. When Pandulph was nuncio from 1213 to 1216, he collected Peter's pence and the tribute, acting in association with the legate, Nicholas, bishop of Tusculum, until the legate left England in 1214. If he collected census in the same period he performed the functions undertaken subsequently by the general collectors. No general commission issued to him as collector of these dues has come to light, however, and it is not established that he collected the census. Guala, who was legate to England from 1216 to 1218, may have acted as general collector, but he can be associated definitely only with the royal tribute. When Pandulph returned to England in 1218 to represent Honorius III as legate, he undoubtedly acted as general collector. His commission is lacking, but a papal letter displays him collecting Peter's pence, the census and the twentieth. He was appointed collector of obventions for the Holy Land in 1218, and he collected the tribute. After his time the existence of general collectors in England for the remainder of the period to 1327 is generally well attested except for comparatively brief intervals. The commissions of the general collectors who were appointed from 1262 to 1327 are nearly all extant, and, though the commission of Stephen of Anagni appears to be the only one previous to 1262 which has survived, other evidence provides in most instances certainty and in the others strong probability of a series of general collectors from 1231 to 1262.²

The general collectors were ordinarily given the rank of nuncio. In the early days of the institution some of them were legates, but Cardinal Otto, who left England in 1241, was the last legate who acted as general collector. With the exception of John Anglicus and John of Kent, who were Franciscans, the general collectors belonged to the secular clergy. They usually held in the hierarchy no higher rank than that of canon or archdeacon. Otto was a cardinal, Pandulph was bishop-elect, and Ri-

¹ Lunt, *Papal Revenues*, I, 42, 43.

² Below, pp. 611-23.

gaud became a bishop while he was collector, but no other general collector attained a rank as high as that of bishop while acting as collector.¹ The policy of selecting men of such rank was doubtless deliberate on the part of the papacy. They were more amenable and more efficient than the more independent bishops would probably have been, just as the administrators of the middle class whom kings were beginning to employ contemporaneously were more satisfactory to their employers than the nobles who took part in the work of government. The system worked remarkably well. Some of the collectors were more friendly to the king and to English prelates than were others, some were forced to bow on occasion to royal authority, but no general collector allowed his sympathies for English king or clergy to influence him to forget his duty to place the interests of the pope whom he served before the interests of the English clergy among whom he lived and worked.² The practice had the drawback that English archbishops and bishops were sometimes antagonized by the authority exercised over them by men of an inferior grade in the hierarchy,³ but such friction never by itself impeded seriously the work of a collector, because they were compelled to recognize that the authority was exercised by the collector as the representative of their superior, the pope.

The general collectors were well trained to act as administrators. The large majority of them had studied in schools and universities until they had attained the degree of master. Nearly all of them had been members of the papal court, where they had obtained practical experience in the conduct of papal business. Pandulph, Boetius, Martin, Sinitius and Geoffrey of Vezzano had been, were or became clerks of the papal camera, Pandulph and Boetius attained the office of papal camerarius, and Rigaud had been an auditor of causes in the papal palace. Some of the collectors had had previous experience as nuncios or collectors in other parts of Europe before they came to England. Sinitius had served as collector in southern France,⁴ and William de Balaeto had acted in the same capacity in Italy.⁵ Pandulph, Otto and Sinitius had represented the pope in England in other capacities before they became general collectors, and Geoffrey of Vezzano appears previously to have been attached to the staff of the legate Ottobon. The natural result of the se-

¹ The promotions of Geoffrey of Vezzano to the episcopate and of William Testa to the cardinalate ended their terms of service as collectors.

² Rostand, who was a notable exception, was a special collector.

³ Above, p. 67; *Reg. of Peckham*, II, 598, 600.

⁴ *Regs. d'Urbain IV*, I, 455, 465.

⁵ *Inst. Misc.* 620. For other instances see Potthast, *Reg.*, 11153; de Loye, *Les Archives*, pp. 22, 23.

lection of collectors who were so adequately prepared was a record of almost uninterrupted efficiency. Martin appears to have failed in his task partly on account of his own arrogance and lack of tact, but the primary cause of his abrupt departure was the rising tide of popular opposition to the fiscal demands of the papacy. Beginning with Geoffrey of Vezzano, none of the general collectors accomplished all of the tasks set for him by the pope. None of them obtained the full yield of Peter's pence, and Gerard of Pecorara and William Testa were restrained from collecting other dues demanded by the pope. With the possible exception of Gerard, who did not observe the custom of obtaining the royal *exequatur* before he began his work, the fault lay in the nature of the papal claims and not in the methods of administration employed by the collectors. William de Balaeto appears to have been the only general collector whose work was so lax as to bring a formal reprimand from the pope.¹

The general collectors sent to England were foreigners with only two exceptions. Before 1246 they were Italians. In that year Innocent IV appointed John Anglicus, who, though he was provincial minister of the Franciscans in Provence, was English by birth. The intensity of the sentiment against Italian provisors existing in England at the time may have been the reason for the change, though the complaints which the English made to the pope against Martin, the preceding collector, raised no specific objection to him as a foreigner. The successor of John Anglicus, whom Innocent appears to have appointed in 1250, was John of Kent, who, as the name implies, was an Englishman. He remained in office under successive popes and was not finally retired until 1266. Leonard, who served under Urban IV for a brief period, and Sinitius, the collector of Clement IV, were both Italians. Raymond de Nogaret, who filled the office during the pontificate of Gregory X, was a Frenchman. Geoffrey of Vezzano, his successor, who held the office for nearly quarter of a century, was an Italian, and he was followed by Gerard of Pecorara, another Italian. The first collector appointed after the accession of the French pope, Clement V, was a Gascon, and all of his successors to 1327 were French. This use of foreigners may not have been particularly pleasing to the English clergy, but it does not appear, on the other hand, to have developed any strong antipathy. The English suspected that Italian collectors of taxes and revenues for the Holy Land would cause the diversion of the proceeds to the papal court, and from time to time they demanded native collectors,² but this prejudice seems to have had

¹ *Cal. Pap. Regs. Letters*, II, 443.

² Ralph of Diceto, *Opera*, II, 169; Matthew Paris, *Chron. Maj.*, IV, 473, 522; Cole, *Documents*, p. 358; Prynn, *Records*, III, 428, 429.

little effect upon their thought with regard to the general collectors, who were concerned primarily with the collection of revenues which were intended for the papal camera and who ordinarily had little to do with revenues for the Holy Land beyond the collection of arrears which might be left at the expiration of the terms of the special collectors of those revenues.

A general collector upon his appointment received from the pope a commission which specified what papal revenues he was to collect and gave him power to compel payment of them by ecclesiastical censures. The earliest extant commission was issued to Stephen of Anagni on 23 December 1228.¹ It ordered him to collect a tenth, Peter's pence, census and any other money known to belong to the papacy or the Holy Land. No further commissions issued before 1262 have been discovered, but copies of most of those issued thereafter have been preserved. They were all of the same type as Stephen's commission, but, as was common in papal documents of the period, they became more elaborate.² The revenues were enumerated in more detail, previous commissions were revoked, the new collector was given power to requisition from his predecessor and his predecessor's deputies the render of accounts and the surrender of all pertinent documents, he was formally authorized to collect deposits made by preceding collectors and their agents, and his compulsory powers were defined more fully. The later commissions, like the earlier, contained a phrase which authorized the collectors to collect any debts owed to the papacy or the Holy Land other than those enumerated. The phrase was not, however, interpreted literally. No collector ventured to demand the royal tribute without a special commission, even though it was technically census which was always named in the general commission. Indeed, it was long the practice for the collector to await a papal order before he requested payment of any specific instalment of the tribute. Gerard of Pecorara appears to have been the first collector who was commissioned to seek instalments of the tribute as they fell due. The general collectors were not commonly authorized to collect current income taxes or obventions and legacies for the Holy Land, but they were usually commissioned to recover any debts left after the special administration of the revenue had been abandoned. The practice was not without exceptions. Pandulph collected both a twentieth and obventions for the Holy Land which were current, Stephen was the original collector of a tenth, and Raymond de Nogaret, while he was general collector, acted with one colleague as collector of the tenth

¹ *Vet. Reg. Sarisberiense*, II, 146.

² Brief summaries of the commissions and references to the originals are given below, pp. 617-23.

granted to the king and his brother at papal request, and with another as collector of the tenth imposed for a crusade by the council of Lyons. The general commissions always mentioned Peter's pence and census, for several years they named the goods of intestate clerks, late in the thirteenth century they began to designate the arrears of the procurations of papal envoys, and they might list such other revenues as legacies to the pope and the spoils of a clerk who had died intestate at the apostolic see. Separate commissions were issued when papal collectors were to levy current papal subsidies or annates. The former tax was usually assigned to them for collection and the latter always was, though Testa was given a colleague for the collection of the first levy of papal annates.

The general collectors were provided with two essential documents in addition to their commissions. One was a letter of recommendation to the king, which asked for the collector a kind reception, safe conduct and such aid as he might require. The recommendation was often joined with a request for the payment of tribute to the collector. When exceptional circumstances existed, this letter might take an unaccustomed form. When Rigaud was sent to England, the papal attempt to obtain the full yield of Peter's pence was causing the king to place prohibitions and other difficulties in the way of the collectors.¹ Rigaud's commendatory letter to the king contained the peremptory statement that 'Rigaud and his deputies must not be brought before any lay court, nor must they be subjected to that custom, or rather corruption, by which laymen have to abide by the decision of twelve witnesses.'² Trial by jury evidently found no favor with the legally trained John XXII. The letter of recommendation was sometimes accompanied by similar letters addressed to other members of the royal family or to royal advisers.³ The second document was a letter of commendation to the English clergy which commanded them to receive the collector kindly, give him safe conduct, provide him and his household with procurations of a specified amount, which varied in different letters from seven to ten shillings a day, and to supply him with replacements of mounts which might become disabled. Sometimes the letter also indicated the size of the entourage for which the collector might exact entertainment.⁴ Hugh of Angoulême, in addition to his credentials, was given 60 florins from the camera for the expenses of his journey from the papal court to England.⁵

¹ Above, p. 63.

² *Cal. Pap. Regs. Letters*, II, 434.

³ *Regs. d'Urbain IV*, I, 129; Jensen, 'Denarius Sancti Petri,' *T.R.H.S.*, new ser., XIX, 250; *Regs. de Benoît XI*, 1219; *Cal. Pap. Regs. Letters*, II, 452, 453, 458; Prynn, *Records*, III, 1098; Papal Bulls, 44/18, 47/5.

⁴ Above, pp. 546, 547.

⁵ Schäfer, *Ausgaben*, p. 444.

The general collectors were often granted privileges in addition to their essential powers. Several were allowed to receive the fruits of their benefices during their absences, and Gerard of Pecorara was empowered to confer the same privilege upon one member of his household.¹ Late in the thirteenth century it became customary to protect the collector against the burden of too much business in addition to his regular duties. In 1296 Boniface VIII granted to Geoffrey of Vezzano that he might not be required to take part in the hearing of causes or other business unless the letter committing the business to him should mention his exemption. The reason assigned for the grant was the ill will which he incurred from many in the discharge of his regular functions.² A similar privilege given by Benedict XI to Gerard of Pecorara stated more simply that it was issued to prevent the collector from being hindered in the transaction of the financial affairs committed to him.³ This form of exemption, which gave protection against the pope as well as others, was uncommon. Later privileges were more limited. William de Balaeto's indult stated merely that he should not be compelled to attend to any business other than that committed to him by the pope.⁴ Rigaud's exempted him from the commands of papal legates,⁵ and Hugh's provided that he need not carry out letters of provision to benefices.⁶ Sinitius could not be excommunicated, suspended or put under interdict.⁷ Rigaud was exempted from the jurisdiction of ordinaries,⁸ but it may be wondered if the document was not issued merely to reënforce the common law, since the general collectors were superior to the ordinaries in the field of the duties committed to them.⁹ It may well have been that the attempt of the collectors, acting under papal orders, to interfere with the collection of Peter's pence by the bishops had raised an issue with regard to the limits of the collectors' jurisdiction which had rendered necessary a reminder that a collector was exempt from episcopal control. Either John Anglicus or John of Kent was empowered to exercise some portion of the right of absolution and dispensation which was reserved to the apostolic see,¹⁰ two later collectors were authorized to exercise the papal power to absolve from sentences of excommunication

¹ *Reg. de Benoît XI*, 1221, 1222; *Cal. Pap. Regs. Letters*, II, 66, 127.

² *Ibid.*, I, 564.

³ *Reg. de Benoît XI*, 1217.

⁴ *Cal. Pap. Regs. Letters*, II, 118, 126.

⁵ *Ibid.*, II, 127.

⁶ *Ibid.*, II, 457.

⁷ *C.P.R.* 1266-72, p. 300.

⁸ *Cal. Pap. Regs. Letters*, II, 127.

⁹ Samaran et Mollat, *La Fiscalité pontificale*, p. 78.

¹⁰ *Mon. Franciscana*, pp. 222, 223.

incurred by attacks upon clerks, except in the gravest cases,¹ three received the power to create one or two public notaries,² and another was enabled to dispense with vows to visit Rome or Compostella taken by those who were unable to go on account of age, illness or wars.³ Hugh of Angoulême was permitted to dispose of his personal property by will and indulged to receive plenary absolution from his confessor at the hour of death.⁴

When a new general collector arrived in England, his first step, if he was informed of English custom, was to present his credentials to the king and secure royal permission to proceed with his duties. A collector ordinarily experienced no difficulty in obtaining the royal approval, which was expressed in part by the issue of a royal writ directing the king's bailiffs and lieges to give the collector safe conduct and protection.⁵ Sometimes the king took the occasion to forbid the collector to exercise some of the powers with which he had been commissioned. Henry III claimed it to be established custom that no tax could be levied in England by papal envoys without his consent,⁶ and his successors upheld the principle in practice. The opportunity often chosen to enforce the right was when the collector presented his letter of recommendation and thus enabled the king to view his commission and ascertain what revenues he was authorized to collect. In 1262 Henry III ordered Leonard not to collect arrears of the tenth and of obventions and legacies for the Holy Land, because he contended that they had been granted to him.⁷ Ten years later Raymond de Nogaret arrived after the death of Henry III and before the return of Edward I. The royal officials, being in doubt how to act, delayed the *exequatur*. Raymond did not venture to proceed with his business until he received permission. He arrived in November and did not begin to issue citations until the following February.⁸ When William Testa was appointed collector in 1306, he recognized that the royal favor might be difficult to obtain on account of the offensive conduct of his predecessor, Gerard. When he sent his credentials to the king, he therefore asked to be informed if any of the business committed to him was prejudicial to king or crown and to have appointed a commission of English ecclesiastics who could pass upon

¹ Above, p. 454.

² *Cal. Pap. Regs. Letters*, I, 538; II, 118, 126.

³ *Ibid.*, II, 474.

⁴ *Ibid.*, II, 486.

⁵ E.g., *Pat. Rolls*, 1225-32, p. 150; *C.P.R.* 1272-81, p. 82.

⁶ Cole, *Documents*, p. 353; *Close Rolls*, 1237-42, pp. 174, 347.

⁷ *Regs. d'Urbain IV*, I, 145.

⁸ *De Antiquis Legibus Liber*, pp. 157, 158; Worcester Diocesan Registry, *Reg. of Giffard*, fol. 37v.

any new powers which might be conferred upon him.¹ Edward's immediate reply is unknown, but after he had heard the complaints of his subjects at the parliament of Carlisle in 1307, he authorized Testa to exercise his office provided he should make no innovations in the practice of his predecessors and should attempt nothing in prejudice of the royal crown or dignity.² This limitation prevented Testa from levying some of the revenues included in his commission, such as the full amount of Peter's pence.³ Subsequent collectors received letters of protection and safe conduct which specified that they were valid only as long as the collector observed this limitation upon his power.⁴ The war with France made it necessary to add to the letter of protection given to Hugh of Angoulême a clause exempting the collector from the royal mandate ordering the arrest of all Frenchmen.⁵ The royal letters of protection issued in the fourteenth century covered the collector's deputies as well as himself. If a collector disregarded the restrictions placed upon him, his protection might be revoked.⁶

A collector who neglected to obtain the royal *exequatur* inevitably found himself in trouble sooner or later. Master Martin made this mistake. The king protested that even a legate had no right to come to England without a royal invitation, and the barons explained to the pope that the collector had no right to act in England without the royal license.⁷ It was this initial blunder which rendered easy his expulsion from England in 1245. Gerard of Pecorara, who committed the same offense because he was 'ignorant of the law and custom of the kingdom,' was treated far more peremptorily by Edward I. He was forced to revoke his orders dismissing the deputy collectors of the triennial tenth⁸ by the threat that otherwise he would be arrested for entering the kingdom without royal permission.⁹ The collector was then allowed to proceed with his other business, but he soon provoked the royal wrath a second time by attempting to exact from the deputy collectors the balances due for the first and second years of the triennial tenth, which had already been claimed from them by the king. Edward made this the occasion to carry out his threat. Early in December, 1304 Gerard was compelled to cease the exercise of his office and leave the kingdom.¹⁰

¹ Prynn, *Records*, III, 1099.

² Rymer, *Foedera*, I, 1014.

³ Lunt, 'William Testa,' *E.H.R.*, XLI, 343-46.

⁴ *C.P.R.* 1317-21, p. 26; 1321-24, p. 359; 1324-27, p. 17; Rymer, *Foedera*, II, 343, 539.

⁵ Rymer, *Foedera*, II, 581.

⁶ Cole, *Documents*, p. 8.

⁷ Above, pp. 210, 211, 213.

⁸ Letter of Gerard, 19 July 1304: Exch. K.R. Ecclesiastical Document 19/69.

⁹ Royal writ of 5 July: Prynn, *Records*, III, 1031, 1032.

¹⁰ Inst. Misc. 377; Lunt, 'Account,' *E.H.R.*, XXVIII, 318-21; above, pp. 377, 378.

Another step taken by a collector soon after his arrival was the publication of his commission. This was always done at London before a formal assembly of the clergy, if one happened to be convoked at an appropriate time, and otherwise before an informal group of clergy assembled at some church in London by the collector for the purpose. Raymond de Nogaret published his commission before the clergy assembled for a parliament in 1273,¹ Geoffrey of Vezzano published his commission of 1282 in St Paul's,² and William Testa, after publication in London, deposited his original commission at the court of Arches for inspection by those interested.³ After a collector had published the commission in London, he sent copies of it to each bishop for local publication. Usually the copy was attested by a notary or by the dean of the Arches; if not, the collector explained that the original was open for inspection if the bishop cared to see it. The commission was usually accompanied by a citation for payment of Peter's pence or other dues collected locally by the bishop, and often by a copy of the papal letter recommending the collector to the clergy and a demand for the collection of his procurations by the bishop.⁴

Before the collector could begin his work, he had to obtain the records of his predecessor. He could ascertain from the cameral records before leaving the papal court the amounts due annually for Peter's pence and census and the sums in deposit with the cameral merchants, but he could not learn the amounts owed by local collectors, payers and depositaries, unless, previous to his departure, his predecessor had returned to the papal court and rendered an account or left other records at the camera. More commonly a new collector appears to have acquired this information after his arrival in England. In 1263, when John of Kent was substituted for Leonard, the latter was instructed to deliver to his successor all documents in his possession.⁵ When John, in turn, was followed by Sinitius, he was instructed to assist the new collector.⁶ William Testa had to recover his predecessor's records from the king who had impounded them.⁷ When a long interval elapsed between the retirement of one collector and the appointment of another, or if the retiring collector left

¹ *Ann. de Wigornia*, pp. 462, 463.

² Worcester Diocesan Registry, Reg. of Giffard, fol. 144.

³ *Reg. of Gandavo*, I, 200; Muniments of Dean and Chapter of Durham, Locellus xix, 50.

⁴ Worcester Diocesan Registry, Reg. of Giffard, fols. 37^v, 144-145; *Reg. of Gandavo*, I, 199-207, 539-42; *Reg. of Swinfield*, pp. 341, 342.

⁵ *Cal. Pap. Regs. Letters*, I, 386. William de Balaeto was likewise ordered to deliver his records to Rigaud: *ibid.*, II, 436.

⁶ Potthast, *Reg.*, 19647.

⁷ Prynn, *Records*, III, 1099.

affairs in confusion, the new collector might have to establish the amounts due for some revenues by exacting accounts from his predecessor's deputies. Gerard of Pecorara, who was appointed four years after Geoffrey of Vezzano left England, though Bartholomew of Ferentino had collected some of the papal revenues during the interval, found it necessary to proceed in this manner,¹ and William Testa, who followed Gerard, found affairs in such disorder as a result of Gerard's abrupt departure without his records, that his first step was to order the bishops to cite the local collectors of various dues to appear before him at London within a month to render account of arrears.²

The collectors generally established their headquarters in London and transacted their business from that center. The collectors who were legates travelled widely, but their journeys were caused mainly by their business as legates. The earlier collectors may have remained in London less permanently than those who came to England during the reigns of Edward I and Edward II. Stephen, for example, dated letters at London, Temple Dinsley and Canterbury during 1229.³ The earlier collectors, however, appear customarily to have cited debtors to render their payments at London,⁴ though there were exceptions.⁵ After 1272 the collectors always conducted their business from London. They might travel in England from time to time, but the object of their journeys was not ordinarily the collection of revenues.⁶ They issued nearly all of their correspondence from London, and they cited debtors to pay their debts and local collectors to deliver their receipts and render their accounts at London.⁷ The bishops usually sent what they owed by messengers or proctors,⁸ but Geoffrey of Vezzano appointed factors of firms of Italian merchants to whom the bishops living at a distance could deliver what they owed for transportation to the collector at London.⁹

¹ Lunt, 'Account,' *E.H.R.*, xxviii, 318-21.

² *Reg. of Gandavo*, I, 199-201.

³ *Vet. Reg. Sarisberiense*, II, 149-56.

⁴ Matthew Paris, *Chron. Maj.*, IV, 617; *Reg. of W. Giffard*, p. 111; *Vet. Reg. Sarisberiense*, II, 156; above, pp. 199, 223, 249.

⁵ Matthew Paris, *Chron. Maj.*, IV, 620.

⁶ Lunt, 'Account,' *E.H.R.*, xxviii, 316, 318; *idem*, 'William Testa,' *E.H.R.*, xli, 357; *Reg. of Halton*, II, 156-61.

⁷ *Reg. of Wickwane*, p. 239; *Reg. of Gandavo*, I, 199-201, 227-29; Lunt, *Papal Revenues*, I, 258-61, 263-67; II, 78-80; Worcester Diocesan Registry, *Reg. of Giffard*, fols. 38, 39, 70; Muniments of Dean and Chapter of Westminster, 53/9439, 9440, 9442; Salisbury Diocesan Registry, *Reg. of Mortivall*, I, fols. 184-85; II, 75, 151; Wells Diocesan Registry, *Reg. of Drokensford*, fol. 106v.

⁸ *Reg. of Gandavo*, I, 337-41; *Reg. of W. Giffard*, p. 111; Salisbury Diocesan Registry, *Reg. of Mortivall*, II, fol. 155v.

⁹ *Reg. of Wickwane*, pp. 239, 240, 245, 246; Winchester Diocesan Registry, *Reg. of Woodlock*, fol. 2v.

A collector had to maintain a considerable staff. Papal letters authorizing their levy of procurations mentioned a following varying from four to seven persons,¹ but their households were probably larger than that. They needed clerks, writers, messengers and household servants.² From 1229 — and probably from the time of Pandulph — to the close of the thirteenth century, the general collectors maintained their office, and probably their residence as well, in the New Temple.³ Gerard of Pecorara appears to have lodged and transacted his business in the house of the dean of St Martin-le-Grand.⁴ William Testa and his two immediate successors established their households and maintained their offices in the house of the dean of St Paul's.⁵ William Testa had alterations made upon the house in order to secure a strong room,⁶ and his successors doubtless found it convenient to occupy a house already adapted to their needs. Hugh of Angoulême, however, lived in a house near the church of St Edmund in the neighborhood of Lombard Street.⁷

The staff of foreign clerks whom the collector brought with him might assist him in a variety of ways. Stephen of Anagni, Cardinal Otto and Martin used foreign clerks as assistants in the actual work of collection, and left their assistants to continue the work after their departure. John Anglicus brought with him a member of his own order to help with the collection of a subsidy. William Testa employed some of the foreign clerks who came with him as deputies in the province of York, Scotland and Ireland. This practice does not appear to have been common, however. The staff brought by the collector was concerned mainly with the writing of documents, the auditing and compilation of accounts, the care of money received, and similar tasks.⁸ As assistants for the collection of taxes the collectors usually employed deputies selected from the local clergy. They did not collect all of the revenues through deputies. Peter's pence they received directly from the bishops, the census and the tribute they collected directly from the payers, and their procurations

¹ Above, pp. 546, 547, and references there cited.

² Lunt, 'William Testa,' *E.H.R.*, xli, 356, 357; below, pp. 684, 685; Lunt, 'Papal Tenth,' *E.H.R.*, xxxii, 58; *idem*, *Papal Revenues*, i, 213.

³ Ancient Corres., vi, 38; *Vet. Reg. Sarisberiense*, ii, 156; Matthew Paris, *Chron. Maj.*, iv, 379; *Reg. of G. Giffard*, ii, 54; Worcester Diocesan Registry, *Reg. of Giffard*, fols. 38, 70, 131; *Reg. of Wickwane*, p. 239; *Liber de Bernewelle*, p. 149; Lunt, *Papal Revenues*, i, 258, 259, 270.

⁴ Muniments of Dean and Chapter of Westminster, 73/12380; Inst. Misc. 377.

⁵ *Reg. of Gandavo*, i, 200; *Reg. of Orleton*, pp. 40, 41; Salisbury Diocesan Registry, *Reg. of Mortivall*, ii, fols. 75^v, 185^v; Lunt, *Papal Revenues*, i, 263, 267.

⁶ Lunt, 'William Testa,' *E.H.R.*, xli, 357.

⁷ Salisbury Diocesan Registry, *Reg. of Mortivall*, ii, fol. 151.

⁸ Above, p. 372; below, pp. 684, 685; Lunt, 'First Levy,' *A.H.R.*, xviii, 56, 57; *idem*, 'William Testa,' *E.H.R.*, xli, 352-57.

they usually levied through the bishops. But when a collector was given such a tax as a subsidy, an income tax, or annates to levy, he appointed local deputies for the purpose of collecting the particular tax. If he were made responsible for the arrears of a similar tax, he dealt with the deputies who had been appointed originally by the special collectors of the tax. The procedure followed by the collectors in the levy of the various revenues has already been described.

The functions of the general collector did not end with the collection of the revenues committed to his charge. Geoffrey of Vezzano conceived it to be part of his duty to look after the papal fiscal interests in a general manner.¹ It was, for example, his initiative which caused Martin IV to attempt to secure the sums pledged to the Holy Land for breaches of contracts.² Geoffrey's conception of his duties was probably broader than that of most of the general collectors. Such papal correspondence and reports of collectors as we possess indicate that the collectors generally confined their attention to the collection of the revenues specifically enumerated in their commissions. The popes, however, often asked collectors to perform tasks which were not associated with finance. Many of them were appointed at one time or another to act as one of a panel of delegated judges to try locally a cause which had been appealed to the apostolic see.³ General collectors were frequently named as the local executors of papal provisions and reservations,⁴ and they were likely to be appointed executors of any business which the pope desired to have administered locally.⁵ Master Martin had discretion to confer in the name of the pope benefices which he discovered to be vacant.⁶ Since his exercise of this authority was one of the chief complaints made against him by the English, who regarded it as a power which only a legate should use,⁷ it was probably new with him, and it does not appear to have been given to a general collector again. Papal letters were sometimes sent to collectors for delivery to the king,⁸ and occasionally popes utilized

¹ Jensen, 'Denarius Sancti Petri,' *T.R.H.S.*, new ser., XIX, 229.

² Above, p. 450.

³ E.g., Cotton Ch. XIII, 23; H.M.C., *Fourteenth Report*, app. 8, p. 219; *Cal. Pap. Regs. Letters*, I, 467, 493, 496; II, 237.

⁴ *Cal. Pap. Regs. Letters*, I, 386, 387, 485, 486, 492, 494-96, 501, 509, 529, 532, 533, 544, 557, 559, 580; II, 92, 93, 151, 184, 186, 200, 248.

⁵ *Ibid.*, I, 209, 303, 304, 384, 400, 401, 445, 446, 469, 473, 478, 493, 511, 561, 575; II, 54, 60, 65, 71, 72, 75, 90, 95, 194, 197, 234, 250, 268, 276, 278, 467, 469, 473, 474, 476; Gottlob, *Aus der Camera*, p. 152; Prynne, *Records*, III, 430.

⁶ Matthew Paris, *Chron. Maj.*, IV, 284, 285, 368, 379; Prynne, *Records*, II, 616, 618; *Ann. de Dunstaplia*, p. 165; Potthast, *Reg.*, 11627.

⁷ Matthew Paris, *Chron. Maj.*, IV, 368, 443.

⁸ *Collectorie* 350, fols. 48, 48^v.

collectors for negotiations with the king on affairs of general import, such as royal infringements upon the liberties of the church, peace with Scotland and the relations between Edward II and his barons.¹ John XXII employed Hugh of Angoulême practically as a permanent diplomatic representative of the apostolic see in England. He sought from the collector information on various questions, and instructed him to conduct negotiations with the king on many issues that had no connection with finance.²

The relations between the general collectors and the king varied much. With Henry III the collectors generally fared well. Leaving aside Pandulph and Cardinal Otto, whose legatine powers rendered them more influential than ordinary collectors, the only ones who incurred the active displeasure of the king were Martin and Leonard. The former received the full force of the royal displeasure, because Henry believed that he was perverting apostolic mandates in such ways as to subvert the rights of the crown,³ but the latter was forbidden to carry out only that part of his mandates which related to revenues previously granted to the king.⁴ Henry's attitude toward the two English collectors, John Anglicus and John of Kent, is not displayed in the limited amount of extant royal correspondence relating to them.⁵ The remaining collectors received distinct signs of the royal favor. Stephen of Anagni was employed by the king in 1228 as a nuncio to represent his interests at the papal court.⁶ Boetius was granted an annual fee of £20 payable at the royal exchequer until the king should provide him with a benefice,⁷ but he received royal presentation to a benefice in 1238⁸ and continued to collect the fee as late as 1252.⁹ Sinitius was made a royal clerk and a member of the royal household and presented to a church in the king's gift, when he was in England the first time, before he became general collector.¹⁰ When he returned as the collector of Clement IV, he was again appointed a special king's clerk, and he also received from the king exemption from the tenth due from his canonry in Chichester and his benefice of Donington.¹¹

¹ *Cal. Pap. Regs. Letters*, I, 556, 557; II, 428, 442, 447.

² *Ibid.*, II, 458-63, 469, 471, 483, 484.

³ *Close Rolls*, 1242-47, p. 259.

⁴ Above, p. 228.

⁵ In 1249 Henry ordered the arrest of John Anglicus and several of his companions, but apparently he was another man of the same name as the collector: *Close Rolls*, 1247-51, p. 242.

⁶ *Cal. Lib. Rolls*, 1226-40, p. 77; *Close Rolls*, 1227-31, p. 118.

⁷ *C.P.R.* 1232-47, p. 55.

⁸ *Ibid.*, p. 222.

⁹ *Liberate Roll* 8, m. 1; *Liberate Roll* (Chancery) 22, mms. 11, 15; 23, m. 2; 27, m. 3.

¹⁰ *C.P.R.* 1247-58, p. 566, 569.

¹¹ *C.P.R.* 1266-72, p. 300.

Edward I and Edward II granted to the general collectors fewer personal favors. The former paid to a nephew of Geoffrey of Vezzano daily wages as a member of the royal household during a large part of 1290.¹ The latter conferred a prebend upon Rigaud before he was appointed bishop.² The collectors during this period, however, generally worked harmoniously with the king. Raymond de Nogaret was closely associated with the royal government in the collection of the subsidy granted to the king and his brother, and Geoffrey of Vezzano agreed to an arrangement which enabled Edward I to obtain possession of a large sum from the proceeds of the tenth. Gerard of Pecorara was a notable exception. William Testa, to be sure, had trouble with the king over the collection of certain revenues which the parliament of Carlisle prohibited in 1307, and he was forbidden to cite English debtors to appear before the papal camera,³ but these difficulties did not cause any serious breach between the king and the collector. Testa's initial step as collector had been to declare his intention to do nothing to the prejudice of king or crown, and after he learned that the prohibited acts were regarded in that light, he complied with the royal commands. His successors followed the same policy. They were compelled by their commissions to seek the full amount of Peter's pence, but they desisted when royal prohibitions were placed upon them. The popes protested the prohibitions, but since the collectors obeyed them, they did not disturb seriously the existence of cordial relations between king and collector. Testa and his successors were forced by the king to exercise in England less power than the pope conferred upon them, but within the still broad field left free by the king's interpretation of what was prejudicial to him the collectors received the protection and, if necessary, the coöperation of the king. Several of these collectors accommodated the king with loans,⁴ though one of £800 from William de Balaeto was the result of royal pressure placed upon the collector after the death of Clement V left him without adequate protection against the king.⁵ Edward II approved the provision of Rigaud to Winchester, and if he had not regarded Hugh of Angoulême as *persona grata*, John XXII would hardly have employed the collector so extensively for negotiations with the king.

The relations of the general collectors to the English clergy are difficult to estimate rightly. The collective attitude of the English clergy

¹ Chanc. Misc. 4/4; Exch. K.R. Accounts, 352/21, m. 3.

² C.P.R. 1317-21, p. 395.

³ Lunt, 'William Testa,' *E.H.R.*, xli, 339-48.

⁴ C.P.R. 1307-13, pp. 392, 573; 1317-21, p. 131; Rymer, *Foedera*, II, 229, 230; Exch. K.R. Accounts, 375/1; 382/15, m. 18.

⁵ Cal. Pap. Regs. Letters, II, 430, 439; C.P.R. 1313-17, p. 115; 1317-21, pp. 442, 443.

toward the general collectors was not one of uniform hostility, but it probably was not commonly one of cordiality. The collector was the immediate representative of a fiscal system which was unpopular. The degree of popular dissatisfaction varied with the nature of the demands which any given collector had to make, and one who had to exact other than the accustomed revenues must have found directed against himself some of the ill will evoked by the taxes, though he was only the agent for their collection. When the English clergy complained to Nicholas III concerning the levy of the goods of intestates, they made evident their displeasure with the manner in which Geoffrey of Vezzano was exacting the due as well as with the demand itself, and the pope gave some credence to the complaint.¹ Geoffrey felt, however, that he was condemned in public opinion only because he had done his duty. He wrote somewhat plaintively to the bishop of Worcester, after the clergy had appealed to the pope: 'Know, father, that it will not displease me if I shall be absolved from the said mandate.'² Gerard of Pecorara was told by the officials who executed the royal command forcing him to cease his work that the king had ordered the prohibition, because he had been informed by those who were in debt to the papacy that the collector had received over 11,000 marks. The intelligence was false, and Gerard believed that it had been given deliberately by deputy collectors and other debtors who hoped to escape the render of their accounts. The statement of the officials may have been erroneous, since the primary purpose of the king was to prevent the collector from exacting from the deputies the portion of the tenth imposed by Boniface VIII which he had arbitrarily seized. It was the king rather than the clergy whom Gerard had offended. Yet Gerard's ready credence of the story indicates that his relations with the clergy were not entirely pleasant. After the prohibition had been put into effect, moreover, many of the deputies, knowing that the collector was powerless to act, came with notaries and witnesses and offered to render their accounts.³ This manifest gloating over the disaster which had befallen a collector who was demanding only the accustomed current dues and the arrears of taxes previously imposed implies either that Gerard had made himself personally unpopular or that an undercurrent of hostility ran against every holder of the office. William Testa, on the other hand, though he received a strong blast of popular disapproval at the outset of his career as collector, apparently succeeded in living down the ill will and certainly made some friends among the English clergy.⁴

¹ Above, p. 510; Lunt, *Papal Revenues*, II, 391-95.

² Worcester Diocesan Registry, Reg. of Giffard, fol. 70v.

³ Lunt, 'Account,' *E.H.R.*, xxviii, 318-21.

⁴ Lunt, 'First Levy,' *A.H.R.*, 56, n. 63.

In 1324, when the dean and chapter of Wells sought the canonization of William de Marchia, they wrote to their friends at the Roman court, among whom was Testa.¹ It must be borne in mind, moreover, that two members of the clergy might take very different views of the same collector. Matthew Paris described John Anglicus as proud and pompous,² but Adam Marsh regarded him as kind and benevolent.³ When allowance has been made for the possibility of variant opinions among the clergy and for the difficulty of determining whether a given instance of hostility was directed at the man or the office, any estimate of the nature of the relations between the collectors and the clergy must be somewhat tentative.

The personalities of the earlier collectors rarely stand out in the few and impersonal documents containing their names. Pandulph and Otto are exceptions because they were legates, and the reputations which they enjoyed among the English were established by their work in that capacity. Stephen of Anagni was criticized harshly by Roger of Wendover for the manner in which he assessed and collected the tenth, but the object of Roger's attack was the new mode of levying the tax which was the result of papal commands rather than of Stephen's execution of them. Antagonism was roused against Martin by the demands which he was required to make, but he was believed to have exceeded his powers grossly and he attained an unenviable unpopularity on his own account. John Anglicus was variously estimated, but Matthew's view was probably prejudiced by the difficulties which the community of St Albans had with him concerning the levy of the subsidy with which he was charged and by his membership in an order of friars. John of Kent and Sinitius, though both were associated with the papal finances in England for a long time, and Leonard, whose sojourn was brief, remain colorless figures. Raymond de Nogaret in association with John of Darlington stirred up a hornets' nest by the zeal with which they assessed and levied the tenth imposed by the council of Lyons. Their excesses may have been exaggerated in the appeal which the English clergy addressed to the pope, but John XXI acted in a manner which indicated his belief that the charges of the English clergy contained some truth. They leave no doubt that Raymond had made himself thoroughly disliked by actions which the clergy regarded as arbitrary. Geoffrey antagonized some of the bishops early in his career as collector, won the reputation of exceeding his powers in the collection of the goods of intestates, and was acknowledged by Boniface VIII to have incurred the ill

¹ H.M.C., *Cal. of MSS of Dean and Chapter of Wells*, I, 211.

² *Chron. Maj.*, IV, 599.

³ *Mon. Franciscana*, pp. 222, 393. Possibly he may have been speaking of John of Kent.

will of many. Gerard contributed to the causes of his own unpopularity. William Testa was sufficiently tactful in the exercise of his powers to cause the initial hostility roused by his functions to subside. The attitude of the clergy toward his successors is left in neutral perspective by the available sources. The clergy steadily opposed their demands for the surplus of Peter's pence, but the opposition appears to have been impersonal as far as the collectors were concerned. No evidence of any common spirit of hostility comes to light. The general collectors appear finally to have won a place as a customary part of the papal system of administration which caused them to be accepted with passive tolerance if not with active friendliness.

Though a general collector's duties were not always pleasant, the office must have been attractive to clerks who were engaged upon an administrative career. A collector enjoyed extensive power. Within the field of his functions he was superior even to the bishops in his collectorate. He transacted business with the royal government, he was likely to come into personal contact with the king, and he might even win the royal favor. A collector often accumulated in his possession large sums of cash, which sometimes remained in his hands long enough to make it possible for him to accommodate the king or others with loans. His remuneration was large. Procurations provided every general collector with an annual income of some hundreds of pounds, and those who collected such taxes as tenths were sometimes given additional allowances from the proceeds of the tax.¹ All general collectors were allowed to deduct the expenses of collection from their receipts.² Rigaud was authorized by the pope to levy from the clergy of his diocese of Winchester an aid to help him meet the losses, expenses and debts which he had incurred in the service of the papal camera.³ The collectors often received small gifts from prelates in addition to their procurations, and occasionally one ran to a substantial amount. Stephen of Anagni was given by the monks of Tewkesbury an annual pension of ten marks which they were still paying in 1250.⁴ The general collector who retired without possession of at least one English benefice was an exception.⁵ Late in the period it also became common for the papacy to reward a faithful

¹ *Cal. Pap. Regs. Letters*, I, 449, 486; Lunt, 'Papal Tenth,' *E.H.R.*, XXXII, 54.

² Lunt, *loc. cit.*, XXXII, 58; *idem*, 'William Testa,' *E.H.R.*, XLI, 356, 357; below, pp. 684, 685; *Cal. Pap. Regs. Letters*, II, 190.

³ *Cal. Pap. Regs. Letters*, II, 213.

⁴ *Ann. de Theokesberia*, pp. 74, 124, 127, 128, 141.

⁵ *Close Rolls*, 1234-37, p. 296; *Pat. Rolls*, 1216-25, p. 183; *C.P.R.* 1232-47, p. 222; 1266-72, p. 300; *Cal. Pap. Regs. Letters*, II, 59, 118, 124, 152, 180, 181, 237, 424; Muniments of Dean and Chapter of Lincoln, Chapter Act Bk. 1305-12, fols. 23^v, 27^v; above, pp. 583, 584.

and successful collector with promotion in the hierarchy. Geoffrey of Vezzano was appointed to the bishopric of Parma, Rigaud became bishop of Winchester, Hugh of Angoulême was promoted to the bishopric of Carpentras, and William Testa was raised to the cardinalate.¹

2. SPECIAL COLLECTORS

In addition to the general collectors the popes appointed many collectors of one or more revenues. Peter's pence and census appear to have been collected by the general collectors from the time of the establishment of the office. The assignment of the collection of tribute to them was subject to a few exceptions. When no general collector was present, and occasionally when one was, the pope named a special agent to receive and transmit an instalment of the tribute. The special agents selected for this purpose were usually members of the papal household or factors of firms of Italian merchants. On a few occasions the Templars of London were given the responsibility, and in 1301 Bartholomew of Ferentino, who, though of Italian origin, was a canon of St Paul's with the interests of an English prelate, was appointed to perform this service.

The papal subsidies were customarily levied by the general collectors. Their levy required negotiations with the local clergy in which a member of the group could hardly be expected to represent the papal interest wholeheartedly. The only collectors of papal subsidies who were not general collectors were Nicholas, a papal subdeacon, whose work was done before the office of general collector had been created, the bishops of Norwich and Winchester, who were compelled to raise the subsidy which Martin had failed to obtain, but the negotiations for which had been completed by the pope before the bishops were appointed to collect it, and the bishops of Lincoln, London and Worcester, who were made collectors of a subsidy which had been granted previously at the initiative of the English clergy.

The collectors of income taxes, on the other hand, were usually appointed especially for the purpose, though for a long time the practice was far from uniform. The administration of the first income tax in 1199 was intrusted to the archbishops and their suffragans, though Philip, a papal notary, was given some supervision of their work. The twentieth imposed in 1215 and the tenth imposed in 1228 were levied by the general collectors, though local prelates may have been responsible for the twentieth for a period before Pandulph was commissioned general

¹ Potthast, *Reg.*, 24809; *Cal. Pap. Regs. Letters*, II, 117, 424; *Introitus et Exitus* 146, fol. 23; *Reg. Avin.* 101, fol. 71.

collector. The tenth which began to be assembled in 1254 was administered at first by three English prelates. They were soon superseded by Rostand, a foreigner and a member of the papal household, who, though associated with the Savoyard archbishop of Canterbury, acted alone in practice. Rostand, however, became too amenable to the king to suit Alexander IV, and he in turn gave place to three English prelates, who were replaced shortly by all the archbishops and bishops. The tenth granted to the king in 1266 was given to the legate Ottobon to collect. When he left in 1268, he transferred his powers to the archbishop of York, but the work was actually done largely by royal clerks under the supervision of the king. The long succession of foreign collectors of income taxes roused English prejudice which was expressed at the second council of Lyons. Possibly as a consequence of this protest one of the collectors of the conciliar tenth named by Gregory X was an English friar. He was, however, associated successively with two foreigners, Raymond de Nogaret, who was papal chaplain and general collector, and Arditio, who was an Italian and a member of the papal household, and from 1275 to 1277, Gerard de Grandson, bishop of Verdun, was superior to both collectors. In 1291 a request of Edward I was acknowledged by the appointment of two English bishops to collect the sexennial tenth. This precedent was followed subsequently, and income taxes, with two exceptions, were collected by two or three English prelates, who were usually bishops. Geoffrey of Vezzano was appointed in 1296 to fill the unexpired term of the bishop of Lincoln, and each archbishop and bishop collected in his own diocese the tenth ordered by the council of Vienne. The arrears of income taxes which had ceased to be current were generally assigned for recovery to the general collectors, but a few exceptions occurred. The collection of the arrears of the twentieth was committed for several years to the collectors of the obventions and legacies for the Holy Land granted to Richard of Cornwall; in 1300, when no general collector was present in England, Bartholomew of Ferentino and the bishop of Winchester were commissioned to collect the arrears of the sexennial tenth imposed in 1274; and in 1309 the bishop of Worcester was associated with the general collector for the levy of arrears of tenths imposed before 1305.

The collection of gifts and legacies to the Holy Land was commonly committed to the archbishops and bishops throughout the period, and during the pontificates of Gregory IX and Innocent IV the friars were also participators in the work. Innocent III on two occasions and Innocent IV usually placed two to five local prelates in charge of the administration. Previous to 1257 foreigners were sometimes concerned in the

work of collection. Pandulph was charged with the collection of obventions, Thomas, a Templar who was a member of the papal household, took some part in the administration in 1236, Cardinal Otto levied arrears and possibly current redemptions, Martin sought the arrears owed to Richard of Cornwall, and after 1246 Berard of Nimfa, a papal scribe, was associated with an English prelate in the recovery of the same debts. Alexander IV transferred the collection of obventions and legacies from English prelates to Rostand, but finally placed English prelates again in charge. Beginning with Urban IV, the arrears were collected by the general collectors, but the current obventions and legacies appear never to have been levied by a general collector or other foreigner. Some popes placed one or two English prelates in charge and others preferred to have each archbishop and bishop act as collector in his own diocese.

The special collectors who were foreigners presumably needed in addition to their commissions papal letters of recommendation to the king and the clergy and royal letters of safe conduct similar to those received by the general collectors.¹ Those who were English clerks apparently needed only their commissions, though, with the possible exception of the collectors of gifts and legacies for the Holy Land, they generally obtained the consent of the king before they began to execute their commissions. The claim of Henry III that no taxes could be levied in England by papal order without his consent applied to the special collectors, and though the consent of the king cannot be established in the case of every tax which was levied by such agents, it was expressed or implied in the great majority of instances.² The successful opposition of Henry III to the levy of the twentieth decreed by the first council of Lyons, despite the papal claim that its imposition by conciliar authority made its levy compulsory, taken together with the several occasions when the king delayed the levy of a tax or controlled in some measure the method of its collection strengthen the inference that special collectors who were members of the English clergy, no less than special and general collectors who were foreigners, needed the royal consent to undertake the tasks assigned to them by the papacy, though they did not labor under the same necessity of obtaining a royal safe conduct. Collectors of obventions and legacies for the Holy Land may have constituted an exception to this rule. The

¹ I have found such letters only in a minority of instances: *Pat. Rolls*, 1225-32, p. 457; *C.P.R.* 1247-58, pp. 620, 632; 1258-66, p. 193; 1272-81, p. 210; Matthew Paris, *Chron. Maj.*, iv, 599.

² It may be indicated by the notice of a chronicler, by a royal safe conduct issued to the collectors — though such a document appears to have been issued to an English collector only when he had a foreign colleague — by a writ of aid in their behalf, by records of actions taken by the exchequer or the council which imply the royal consent, or by the entry of the collector's commission in the memoranda rolls of the exchequer.

special collectors exercised their powers and transacted their business within their more limited fields with virtually the same methods that were employed by the general collectors.

In considering the relations of the special collectors to the king and to the clergy a distinction must be drawn between those who were foreigners and those who were Englishmen. The foreigners were generally disliked by the clergy. Matthew Paris dwelled upon the arrogance of Alexander, the colleague of John Anglicus, and accused Berard of Nimfa of extortion. The contrast between Rostand, whose interests were those of pope and king, and the bishop of Norwich, whose sympathies were with the clergy, rendered the former exceptionally unpopular. What impression Pierre d'Aussone made upon the English clergy is not clearly portrayed for us. Arditio received a storm of criticism, but it was shared by his English colleague, John of Darlington. With the king two of the foreign special collectors found high favor. Henry III made Rostand a member of his council, employed him repeatedly as an agent to conduct negotiations with the pope, and conferred upon him many ecclesiastical benefices and other favors.¹ In the same period he received Sinitius, who was then a special collector, into the royal household and presented him to a benefice.² The foreigners who came as special collectors in the reign of Edward I were accorded no such signs of royal esteem, and after 1282 no more came except the colleagues of William Testa in the collection of annates.

The English prelates who served as special collectors neither rose as high nor fell as low as the foreigners engaged in the same service. Their work as collectors appears to have brought them no particular favor from king or clergy, though it was probably Bartholomew of Ferentino's association with the triennial tenth which caused Edward I to make him a member of the royal household in 1302.³ Occasionally it brought them into some disfavor with the clergy. The valuation which John of Darlington had a hand in making was regarded as excessive, and hard things were said about the bishops of Lincoln and Winchester on account of the valuation which they assessed later. For the most part, however, the work of the special collectors who were English seems to have been accepted as a matter of course, with no more or less hard feelings than were engendered by the administrative duties which they performed in their capacities of bishops or of other local offices which they held.

¹ *C.P.R.* 1247-58, pp. 429, 445, 449, 455, 461, 473, 475, 477, 478, 533, 536, 543, 549, 550, 554, 556, 561, 563-65, 588, 606, 629, 649, 650.

² *Ibid.*, pp. 566, 569.

³ *Exch. K.R. Accounts*, 365/10, fol. 3v.

The remuneration of the special collectors was ordinarily less than that of the general collectors. Alexander, the companion of John Anglicus, and Pierre d'Aussone, the colleague of Raymond de Nogaret, were nuncios who received the same amount of procurations as their colleagues who were general collectors.¹ Gerard de Grandson was allotted higher procurations than a general collector received.² These were exceptional instances. Some foreign special collectors who were nuncios, such as Rostand, appear to have been entitled to no pecuniary procurations, and English prelates who acted as special collectors never received procurations in that capacity, though a few who were collectors of obventions and legacies for the Holy Land were granted small procurations as preachers of a crusade. The principal collectors of income taxes were usually given a salary and the amount of their expenses from the proceeds of the taxes, but the collectors of papal subsidies and of obventions and legacies for the Holy Land do not appear often to have been similarly rewarded. Arditio was advanced to a bishopric³ and John of Darlington to an archbishopric,⁴ but special collectors received such promotions less frequently than general collectors. The special collectors did not often receive papal provision to English benefices, and they were granted few privileges of the types conferred upon general collectors.⁵

3. RESPONSIBILITY OF COLLECTORS TO THE POPE

The responsibility of the collectors to the pope was maintained by placing them under oath to perform their duties faithfully and by requiring them to render accounts to the papal camera. The only mention of an oath taken by an English general collector, which I have noted, was in 1316, when William de Balaeto, who had previously acted as the collector of Clement V, was ordered to take a new oath to John XXII.⁶ By that time an oath was always required of a newly appointed general collector,⁷ but it seems impossible to determine how long the requirement had existed. Gerard de Grandson administered an oath to Raymond de Nogaret and John of Darlington, Arditio gave his oath before he left the papal court in 1277, and after his arrival in England he and John of Darlington both took public oath.⁸ The last, however, was intended to

¹ Matthew Paris, *Chron. Maj.*, iv, 599; *Reg. of G. Giffard*, i, 52.

² Lunt, 'Papal Tenth,' *E.H.R.*, xxxii, 70. Ottobon's procurations were those of a legate, not of a collector of a tenth.

³ Potthast, *Reg.*, 21827.

⁴ *Cal. Pap. Regs. Letters*, i, 457.

⁵ For a few granted to Rostand see *Regs. d'Alexandre IV*, 2393-95.

⁶ *Cal. Pap. Regs. Letters*, ii, 443; Lambeth Palace Library, *Reg. of Reynolds*, fol. 238v.

⁷ Samaran et Mollat, *La Fiscalité pontificale*, p. 79.

⁸ Lunt, 'Papal Tenth,' *E.H.R.*, xxxii, 71; *Reg. de Jean XXI*, 106.

satisfy the English clergy of their honesty rather than to bind the collectors to the pope. English prelates who were appointed special collectors appear often to have been bound to fulfil their commissions faithfully only by virtue of the obedience which they owed to the apostolic see.

The collectors were required to render accounts to the papacy from an early time, though at first only a general statement of the sums received was demanded. Each bishop who collected the fortieth in 1199 was expected to notify the pope of the total sum received in his diocese. Pandulph was directed in 1220 to consign the yield of the census, the twentieth and Peter's pence to the Templars and Hospitallers and to notify the pope of the sum derived from each revenue.¹ The subsequent development of collectors' accounts for a long period remains in obscurity, though an occasional gleam in the darkness indicates that they continued to be required of both special and general collectors. In 1250 the newly appointed collectors of obventions and legacies were ordered in association with the general collector to audit the accounts of their predecessor.² Urban IV, early in his pontificate, commanded John of Kent to provide information concerning the business committed to him by Alexander IV and his transaction of it.³ When Raymond de Nogaret finished his work as collector in 1276, he went to the papal court to render an account.⁴

The first accounts made to the papacy by English collectors which are known to be extant were those of the collectors of the sexennial tenth imposed by the council of Lyons in 1274.⁵ The collectors reported several times at irregular intervals. They informed the papal camera not only of the amount of their receipts, but also of the methods of administration employed and the important actions taken by them. They accompanied their reports with notarial records of the sums deposited with firms of Italian merchants and other pertinent documents. In addition to their written accounts, John of Darlington reported orally in 1278, when he went to the papal court as the envoy of Edward I. The collectors not only kept the pope informed of the progress of their work, but they also consulted him or his camerarius frequently with regard to the manner in which they should meet problems as they arose. Several accounts kept by the collectors of the sexennial tenth imposed in 1291 also survive.⁶ Thereafter evidence that the principal collectors of in-

¹ Theiner, *Vet. Mon. Hibernorum*, p. 17.

² Above, p. 439.

³ *Reg. d'Urban IV*, I, 50.

⁴ Lunt, 'Papal Tenth,' *E.H.R.*, xxxii, 50.

⁵ *Ibid.*, xxxii, 49-89.

⁶ Lunt, 'Collectors' Accounts,' *E.H.R.*, xxxi, 102-19; Baethgen, 'Quellen,' *Q.u.F.*, xx, 235-37, above, p. 359, n. 4.

come taxes kept careful accounts is bountiful, but it may be doubted if all of the accounts were submitted to the pope. Bartholomew of Ferentino accounted for his collection of the triennial tenth to the general collector, Gerard of Pecorara, and the principal collectors of the tenths imposed by Clement V accounted to the general collectors for the four of the six tenths in which the pope retained a quarter interest. The bishops who collected the tenth decreed by the council of Vienne sent written accounts directly to the pope. All of these collectors except the last rendered accounts also to the king, who was entitled to a part of the proceeds. The collectors of the other papal tenths levied after 1305 probably accounted only to the king, since they were with one exception granted to the king in full, and John XXII was unable to obtain the quarter of the biennial tenth which constituted the exception.

Several of the reports on the tenths of 1274 and 1291 were rendered by Geoffrey of Vezzano, but the first comprehensive report of a general collector known to be extant was compiled by Gerard of Pecorara in 1304.¹ It was his final report following one which he had made previously. In it he summarized his principal acts since the date of his last report, stated the small sums which he had received from various revenues, and estimated the status of the arrears of each of the revenues which he had been commissioned to collect. Testa rendered his first two reports at biennial intervals and sent them annually thereafter.² No reports of William de Balaeto have been discovered, but he went to the papal camera for a final accounting and audit in 1317 at the expiration of his term of office.³ Rigaud's report is devoted mainly to annates, but it contains a statement of his receipts from all sources up to 1321.⁴ No reports of Hugh of Angoulême have been found, but it was by his time the established practice for a general collector to report at intervals during his tenure of office, and at the end of his term to render a final account which was audited by the camera and established any balance which he might owe.

These methods of enforcing responsibility worked well. They left to the collector a large amount of discretion. In the later part of the period the discretion of the collectors was limited somewhat by more detailed commissions, more frequent supplementary orders, and the requirement of more detailed reports, but to the end of the period the collectors were

¹ Lunt, 'Account,' *E.H.R.*, xxviii, 318-21.

² Lunt, 'William Testa,' *E.H.R.*, xli, 352-57; below, pp. 682-85.

³ The pope ordered him to appear for the purpose, and the balance which he owed was established, but we do not have the account: *Cal. Pap. Regs. Letters*, II, 436, 453; Göller, *Einnahmen unter Johann XXII*, pp. 310, 311.

⁴ The latest date of any recorded item: *Introitus et Exitus* 15.

left with wide opportunities to exercise their own judgments. Some of the collectors used their discretion unwisely. Moved either by zeal for the rights of the papacy or by an exaggerated sense of their own importance, they became so dictatorial and arbitrary that they aroused the antagonism of the English clergy. William de Balaeto, on the other hand, was somewhat lax in upholding the papal rights, and several of the special collectors displayed a similar attitude at one time or another. Such indiscretions might be temporarily harmful to the papal finances, but they were few, and they could always be remedied. The principal testimony to the general efficiency of the system is the lack of any indication of dishonesty on the part of the collectors.

4. CARE AND DISPOSAL OF THE PROCEEDS OF THE REVENUES

One of the chief responsibilities of the collectors was the care and disposal of the money which they received. During the twelfth century the archbishop of Canterbury or the English bishop who collected Peter's pence from the bishops sent the money to the pope by papal envoys authorized to receive it, by royal messengers or perhaps by their own agents. In the second half of the century the popes sometimes arranged for them to deposit the money in a French monastery whence papal envoys would carry it to the papal court. Once a papal legate collected the money directly from the bishops. On another occasion Alexander III borrowed the anticipated yield of Peter's pence for a year from Flemish merchants and ordered the English collector of the revenue to deliver his receipts to the merchants in payment of the loan. The proceeds of the subsidies of 1173 and 1184 were probably transported by the papal agents sent to obtain them. How the receivers of these funds guarded them between the time of their receipt and their delivery to the pope or papal agents does not appear, but they probably kept them in their own strong chests.

5. LOCAL DEPOSITARIES

In 1213 Innocent III directed the collectors of gifts for a crusade to deposit the receipts in monasteries until papal orders should be given for their disposal. For the remainder of the period this was the common practice. Collectors of income taxes and of obventions for the Holy Land were usually instructed by the pope to deposit the proceeds in monasteries, cathedrals or other safe places. Urban IV ordered Cistercians and other orders, provosts, deans, archdeacons, Hospitallers and Templars to take charge of any money which the general collector might

commit to them.¹ Even when collectors were not so instructed, they sometimes utilized this method of keeping in security the funds which they assembled. In 1277 the collectors of the tenth, acting upon the advice of the king and the magnates, transferred some of these deposits from monasteries and churches to firms of Italian merchants, who could keep them more safely while disorder existed in England. Though Italian firms had been used previously by collectors for the transmission of funds, this appears to have been the first time that they were utilized by English collectors simply as depositaries. Once the practice was established, it became common.

The obligations of the depositary are left in some obscurity before the second half of the thirteenth century by the lack of sufficient pertinent documents. The depositary gave to the collector a formal written acknowledgment of receipt of the money, and presumably he undertook to return the money to the collector on a demand accompanied by his original acknowledgment or receipt.² The exact extent of the depositary's responsibility for the money while it was in his keeping is not defined in the few documents which I have discovered. Later in the century the depositary gave to the collector a bond in which he assumed all risks for the deposit, submitted to such jurisdiction for its recovery as the collector designated, excluded himself from the protection of specified forms of legal action and papal privileges, and promised to deliver the money within a specified time after a demand had been made by the collector or other authorized papal nuncio. Upon delivery he received the bond and an acquittance from the collector.³ The system relieved the collector of great risks, and it was often of advantage to the depositaries. They could use the money while it was in their custody, and deposits of funds raised for crusades and not utilized immediately for that purpose were frequently left with the depositaries for long periods.

6. FUNDS KEPT ON HAND BY THE COLLECTORS

Not all of the funds received by collectors were handled in this manner. The general collectors were responsible for transmission to the papal camera with more or less regularity of the revenues which belonged to the pope as distinguished from those levied for the crusades, and some of them received orders to send the latter to the camera also. This together with their expenses made it necessary for them to keep on hand an amount of cash which was sometimes large. During the thirteenth cen-

¹ *Cal. Pap. Regs. Letters*, I, 383.

² H.M.C., *Report on Various*, I, 190.

³ Lunt, *Papal Revenues*, I, 270-74, 310-12.

ture this money was usually kept in the house of the Templars at London, which was one of the safest places in England for the storage of money,¹ and was used for that purpose by many others including the king.² Gerard of Pecorara took new quarters in 1304, and shortly afterward the trial of the Templars followed by the dissolution of the order ended the possibility of using the New Temple for the storage of money. The collectors thereafter leased houses for their office and residence, where, if they followed the example of Testa, they built their own strong rooms.

The general collectors delivered nearly all of their receipts to the papal camera, but occasionally the pope ordered them to make small issues to others. John XXII directed his collectors more than once to supply his other nuncios in England with specified sums, and in 1318 he instructed Rigaud to pay money to Nicholas Trevet for the expenses of a literary work which he was then composing. When such orders were issued, the acquittances of the payees to the collector were accepted as vouchers by the papal camera.³ This use of the English collectors as local bankers was exceptional, because the popes spent little money in England. In addition to any assignments which he might have made on the papal order, a collector could deduct his expenses. The remainder of the money which he received he had to transmit to the papal camera.

7. TRANSMISSION OF FUNDS TO THE PAPAL CAMERA

The methods of transmission which were employed in the twelfth century continued to be used for a time in the thirteenth century, but they fell gradually into nearly complete desuetude. In 1220 Honorius III instructed Pandulph to send the proceeds of the twentieth, the census and Peter's pence to Paris for deposit with the Templars and Hospitaliers.⁴ Gregory IX ordered Boetius to deposit some of the money collected by him at the Temple in Paris,⁵ and as late as 1240 he directed Otto to send the issue of a subsidy to the same destination, though in this instance the money was to be used by the Templars to repay a loan which French prelates had made to the pope.⁶ In a few instances, the latest of which occurred in 1255, the pope sent special agents to receive the tribute and bring it back to Rome.⁷ In 1240 Otto dispatched money

¹ Lunt, 'Papal Tenth,' *E.H.R.*, xxxii, 67.

² Ferris, 'Relations of Knights Templars,' *A.H.R.*, viii, 1-17; A. Sandys, 'The Financial and Administrative Importance of the London Temple in the Thirteenth Century,' *Essays presented to Thomas Frederick Tout*, pp. 147-61.

³ *Regs. of Sandale and Asserio*, p. 558.

⁴ *Reg. Honorii III*, 2620.

⁵ Rodenberg, *Epistolae*, i, 503.

⁶ *Regs. de Grégoire IX*, 5918-31.

⁷ Rymer, *Foedera*, i, 233; *Cal. Lib. Rolls*, 1226-40, p. 240; *Liberate Roll* (Chancery) 31, m. 4.

to the pope by his clerk, Mumelinus, and in the next year the two assistants whom he left to continue the work of collection took with them to Italy what they had collected.¹ Later collectors may have sent money to the papal camera by special messengers or carried it themselves, but already firms of Italian merchants were beginning to be employed for the transmission of money from England to the papal court. By the time of Urban IV they were the usual — if not the only — agents employed for the purpose, with the notable exception of the pontificate of Clement V. Rendered distrustful of the Italian firms by the failure of the Buonsignori, Clement V reverted to the older practice of special couriers, but he organized the service much more systematically. In 1307 he appointed Amanieu de Le Bret, a Gascon lord, to maintain, in consultation with Testa, a system of messengers for the transportation of the papal revenues collected in England.² Testa delivered all of his receipts to the papal camera by this means.³ John XXII returned to the former practice and ordered his collectors to make their renders to the camera by means of specified firms of cameral merchants.

The first use of Italian merchants for the transmission of papal revenues from England to the papal camera which has come to my notice was made by Pandulph. By that time Italian merchants were becoming established in England. In the reign of Henry II Lombards appear already to have begun competition with Flemings in the purchase of English wool.⁴ English prelates at that time were still borrowing from the Jews in England,⁵ but Peter of Blois borrowed money from Roman merchants when he was in Italy. Richard I also contracted loans with Italian merchants when he was on the third crusade.⁶ During the reign of John several loans were made by Italian merchants both in Italy and in England to the king and to English prelates, and John on one occasion employed Italian merchants for the transportation of money to Germany.⁷ By the end of his reign manifestly Italian merchants had begun to conduct financial business in England.

After Pandulph came to England in 1218, he utilized the services of

¹ Matthew Paris, *Chron. Maj.*, iv, 35, 160.

² *Cal. Pap. Regs. Letters*, II, 31; *Reg. Clementis V*, 2266.

³ Lunt, 'William Testa,' *E.H.R.*, xli, 352-57; below, pp. 684, 685; *Cal. Pap. Regs. Letters*, II, 31, 48, 77; *Arm.* xxxv, vol. 140, fol. 24. William de Balaeto appears to have made no deliveries to the camera before the death of Clement V.

⁴ Jordan Fantosme, *Chron.*, p. 293.

⁵ Pipe Roll Soc. *Pubs.*, xxxiv, 77, 104.

⁶ Schaube, *Handelsgeschichte*, pp. 392-94; *Pat. Rolls*, 1216-25, p. 260.

⁷ *Chron. de Evesham*, pp. xxvi, 225, 230-32, 256; Giraldus Cambrensis, *Opera*, III, 286, 287; *Rot. Lit. Claus.*, I, 48, 146; *Rot. de Liberate*, p. 46; *Cal. Pap. Regs. Letters*, I, 16; Schaube, *Handelsgeschichte*, pp. 394-96.

merchants of Bologna for the carriage of funds to the pope. This first experiment was not a success. The merchants failed to make delivery, and Honorius III was unable to locate the merchants. He consequently instructed Pandulph not to deliver any more of the papal money without a special order.¹ Subsequently the king assisted Pandulph to recover a debt owed to him by merchants of Bologna by having the sheriff of London seize the merchandise of other Bolognese merchants who were in the city of London,² but the debt may not have been the one in question. However that may have been, the unfortunate outcome of the experiment ended the use of Italian merchants as agents for the transfer of money for the time being.

8. THE CAMERAL MERCHANTS

During the early years of the reign of Henry III, Italian merchants continued to come to England for purposes of trade, though not yet in as large numbers as merchants from some other countries.³ They were increasing their financial business with the king and the English prelates, and the pope was already appointing local executors to help them collect their debts from English clerks.⁴ Gregory IX, moreover, recognized the value of the financial services which they could render by associating at least two of them with his camera and giving to them the official title of 'campsores camere.'⁵ Under such circumstances it was not strange that Italian merchants began to take part in the papal fiscal business in England during his pontificate. When Stephen of Anagni was collecting the tenth in 1229, merchants who were in favor at the Roman court accompanied him and lent money to those who desired it for the payment of their tenth.⁶ What is more significant, some of them who were companions of Angelerius Solaficu, a papal merchant, received some of the money collected by Stephen and accounted for it to the papal camera.⁷ They were merchants of Siena. In 1233 the king paid the tribute to Bonacursus Ingelesk, Amery Cosse and their fellows, merchants of Florence, for delivery to the pope.⁸ The legate Otto had papal *campsores*

¹ *Cal. Pap. Regs. Letters*, I, 76; *Reg. Honorii III*, 2710.

² *Rot. Lit. Claus.*, I, 636.

³ *Pat. Rolls, 1216-25*, pp. 448, 472, 523 and *passim*; Whitwell, 'Italian Bankers,' *T.R.H.S.*, new ser., XVII, 177, n. 1.

⁴ H.M.C., *Cal. of MSS of Dean and Chapter of Wells*, II, 550; *Reg. of Gray*, pp. 20, 135, 223; *Pat. Rolls, 1216-25*, p. 535; Potthast, *Reg.*, 9584; *Cal. Pap. Regs. Letters*, I, 16.

⁵ Jordan, *De Mercatoribus*, pp. 9, 10.

⁶ Matthew Paris, *Chron. Maj.*, III, 188, 189.

⁷ *Liber Censuum*, I, 12*.

⁸ *Cal. Lib. Rolls, 1226-40*, p. 196.

in his house when English prelates were paying the subsidy in 1240, but our informant ascribed to them no other function than that of receiving the money in behalf of the legate.¹ Possibly Gregory IX did not employ Italian merchants extensively for business in England after 1235, because in that period they were in trouble much of the time. Their practice of charging interest on their loans was the assigned reason of the English opposition to them,² though it was a time when foreigners were unpopular in England. In 1235 the bishop of London excommunicated the Italian merchants and ordered them to leave London, but they overcame this obstacle with the help of the pope.³ A few years later Gregory IX intervened to secure the release of a merchant of Siena whom the king had arrested.⁴ In 1240 and again two years later Henry III ordered the exile of Italian merchants from the realm, but the merchants bought the revocation of the royal decrees and continued to transact business as before.⁵

Innocent IV maintained Italian merchants on the staff of the camera,⁶ but what part they took in the fiscal business of the papacy in England is problematical. Henry III once paid the tribute by means of two Italian firms, one of which was employed by the camera, but the transaction was probably undertaken at the initiative of the king, who borrowed the money from these firms in order to meet the debt.⁷ Some Italian merchants who were arrested in England for usury in 1251 claimed that they were papal agents.⁸ We do not learn, however, whether the collectors used Italian merchants for the transfer of money during the pontificate of Innocent IV.

During the next pontificate Italian merchants were associated with papal taxes in England more prominently than ever before as a consequence of the extensive loans which they made for the Sicilian project on the surety of the English tenth. The merchants who came to England on that business were in the main Alexander's cameral merchants and their associates.⁹ How Alexander's collector forwarded the other

¹ *Ann. de Burton*, p. 366.

² For examples see *Pat. Rolls*, 1225-32, p. 514; Matthew Paris, *Chron. Maj.*, III, 329-31.

³ Matthew Paris, *Chron. Maj.*, III, 328-32.

⁴ *Close Rolls*, 1237-42, p. 160.

⁵ Matthew Paris, *Chron. Maj.*, IV, 8; *Close Rolls*, 1237-42, pp. 239, 414; *C.P.R.* 1232-47, pp. 239, 272, 282.

⁶ Jordan, *De Mercatoribus*, pp. 10, 11.

⁷ Above, p. 150.

⁸ Matthew Paris, *Chron. Maj.*, V, 245.

⁹ Compare the names of Alexander's cameral merchants given by Jordan, *De Mercatoribus*, pp. 11-14, with the names of the merchants who made the loans: Matthew Paris, *Additamenta*, pp. 305, 308, 315; *C.P.R.* 1247-58, pp. 462, 515-20; Rymer, *Foedera*, I, 330, 343, 368; Royal MS. 17 B XII, fol. 52; Bodleian Library, MS. Oxford Charter 94; Papal Bulls 2/14.

revenues which he received does not appear, but in 1261 the commission of Peter de Piperno, which was not expedited on account of Alexander's death, directed him to assign the yield of a subsidy which he was to collect to Florentine merchants who were members of the papal household.¹

Urban IV ordered his collectors to deliver all the money which they received for the papal camera to specified firms of Italian merchants.² This became subsequently the regular method of transmitting the money received by the regular collectors, and in most instances the special collectors also delivered their receipts to firms of Italian merchants, if they did not deliver them to the regular collectors.³ The only break in the practice occurred during the pontificate of Clement V.⁴ The merchants employed were in every instance save one members of the firms who were acting as cameral merchants contemporaneously.⁵ The exception was constituted by the proceeds of the tenth and the obventions and legacies for the Holy Land decreed by the second council of Lyons. They were often delivered by the collectors to Italian firms which were not associated with the camera, but the camera usually had these depositories transfer their receipts to firms who were among the cameral merchants.⁶

The responsibility of the cameral merchants to the camera was maintained in a variety of ways. The firms were ordinarily required to pledge all of their property to guarantee any debts which they might owe to the camera. On 9 June 1317, for example, representatives of the Bardi pledged the goods of the whole firm to the papal treasurers as security for their delivery to the papal camera of any sums which might be assigned to them by Rigaud, the papal collector in the British Isles.⁷ In addition to this general surety, a firm gave a bond for every payment which it received from a collector. By the document it bound itself to deliver the money to the papal camera or to hold it at the demand of the pope

¹ *Regs. d'Urban IV*, I, 125.

² *Cal. Pap. Regs. Letters*, I, 380, 384, 385; *Regs. d'Urban IV*, I, 53, 134, 135.

³ *Regs. de Clément IV*, 798; *Cal. Pap. Regs. Letters*, I, 447, 475, 477, 478, 565, 585, 587, 588, 598, 600, 618; II, 417, 453, 454, 472, 480, 485; Rymer, *Foedera*, I, 660, 750; *Reg. of Pontissara*, II, 501-5; *Regs. de Boniface VIII*, 4333; Göller, *Einnahmen unter Johann XXII*, pp. 632, 633; Jordan, *De Mercatoribus*, pp. 57-59; Arm. xxxv, vol. 140, fols. 23, 24; Inst. Misc. 595; Reg. Avin. 55, fols. 476-78; Addit. Charter 19636.

⁴ I have not been able to ascertain the practice during the short pontificates of Innocent V and Adrian V.

⁵ Sometimes stated in the documents cited; otherwise established by comparison with Jordan, *De Mercatoribus*, pp. 14-35, 146-48. That Parrochius Scovolaco belonged to the firm of Bernard Scotti, which is conjectured by Jordan, is established by Auditors Issue Roll 9, col. 2.

⁶ *Cal. Pap. Regs. Letters*, I, 477-79; Lunt, 'Papal Tenth,' *E.H.R.*, xxxii, 51-61, 66, 72-75; below, pp. 641-65; Jordan, *De Mercatoribus*, pp. 23-26; Re, 'La Compagnia,' *Archivio della R. Società Romana di Storia patria*, xxxvii, 132-35.

⁷ Inst. Misc. 610.

or the collector, agreed to take all risks while the money remained in the possession of the firm, and pledged the whole property of the firm for its repayment.¹ The collector received two copies of the bond, of which he kept one and sent the other to the camera.² When the firm delivered any of the money to the camera, an acquittance was given both to the firm and to the collector.³ Instead of delivering the money to the camera, a firm might pay it to papal creditors on the order of the pope or the camera. The camera kept accounts with the merchants which were audited and balanced from time to time at the convenience of the camera.⁴

These arrangements between the papacy and the cameral merchants were of mutual advantage to both parties. The popes received the services of the most expert bankers in Europe and had their money transferred in the safest manner with good guarantee against losses. They could also anticipate their income in some measure by loans advanced by the bankers upon the surety of revenues still to be collected. The merchants sometimes received fees for the transportation of money and for its exchange. When deposits were left with them long enough, they could utilize the money profitably.⁵ They also received protection from the papacy. The popes commonly recommended their cameral merchants to the protection of the king⁶ and intervened with the king and the clergy to assist them when they experienced difficulties in England.⁷ Their association with the papacy helped them to obtain the business of English prelates and monastic communities who had to contract loans, and the papacy assisted them to collect such loans with an executory process enforced with ecclesiastical censures and by ecclesiastical law.⁸

Though the use of the Italian bankers relieved the papacy of the necessity of maintaining its own system of couriers and taking the risks attendant upon the transportation of money by road, the use of the bankers was not entirely free from danger of losses. Urban IV believed that the firm of the Scotti had received during the pontificate of Alexander IV more of the proceeds of the English tenth than the amount of the loans

¹ E.g., Lunt, *Papal Revenues*, I, 310-12; Arm. xxxv, vol. 140, fols. 23, 24.

² E.g., *Cal. Pap. Regs. Letters*, I, 585, 587.

³ E.g., *ibid.*, II, 472, 480.

⁴ E.g., Lunt, *Papal Revenues*, I, 317-21. On the technical side of their transactions as bankers of the popes, see Sayous, 'Les Opérations,' *Revue historique*, CLXX, pp. 24-27.

⁵ Lunt, *Papal Revenues*, I, 52-54.

⁶ *Cal. Pap. Regs. Letters*, I, 380; II, 417; Rymer, *Foedera*, I, 660, 735, 823, 835; Prynne, *Records*, III, 616; Potthast, *Reg.*, 22255.

⁷ *Cal. Pap. Regs. Letters*, I, 386, 581; Rymer, *Foedera*, I, 378, 379, 926; Prynne, *Records*, III, 932.

⁸ Lunt, *Papal Revenues*, I, 55, 56; Muniments of Dean and Chapter of Durham, Misc. Charters 3866, 3901.

which they had made to the pope. He ordered the bishop of Siena to cite them to appear and render account, and he instructed the English collector to order English debtors to the firm to pay their debts to the papal collector. The final outcome does not appear, but the Scotti were not taken back into the papal favor.¹ Early in the fourteenth century the firms of the Buonsignori and the Ricciardi failed, when they owed the papal camera about 80,000 florins, consisting largely of deposits received from the English tenth. Clement V ordered the English collector to sequester the debts owed to the two companies in England, but an inquiry conducted in 1344 demonstrated that the greater portion of the money had never been recovered.² After this experience Clement V abandoned the use of cameral merchants for the transfer of funds, but his successor, who restored the practice, must have regarded the danger of occasional loss from the dishonesty or incompetence of Italian bankers as more than offset by the value of the financial services which they could render.

¹ Jordan, *De Mercatoribus*, p. 15; *Regs. d'Urbain IV*, I, 42, 46, 146.

² Jordan, 'La Faillite,' *Mélanges P. Fabre*, pp. 416-35; Arias, *Studi e Documenti*, pp. 38-60; *Reg. Clementis V*, 2296; MS. Ottoboniano Latino 2546, fol. 107^v; *Reg. Avin.* 76, fols. 524, 524^v.

APPENDICES

APPENDIX I

CHRONOLOGICAL LIST OF THE KNOWN LEVIES OF SUBSIDIES, MANDATORY INCOME TAXES, ANNATES AND MONETARY PROCURATIONS OF PAPAL ENVOYS OTHER THAN COLLECTORS REQUESTED OR ORDERED BY THE PAPACY

<i>Nature of revenue</i>	<i>Date of imposition or grant</i>	<i>Period of levy</i>
Procurations, legate		1125
Subsidy of gifts		1173
Procurations, legate		1175-76
Subsidy		1184
Procurations, legate		1186-87
Compulsory alms	1188	
Procurations, legate		1199
Mandatory fortieth	27 December 1199	1201
Procurations, legate		1206
Procurations, legate		1216-18
Mandatory triennial twentieth	14 December 1215	1217-19
Subsidy of gifts		1217
Procurations, nuncio		1226
Subsidy, sixteenth	14 October 1226	2 February to 6 June 1227
Mandatory tenth	20 December 1228	29 September 1229 to spring 1230
Procurations, legate		1237-41
Mandatory fifth on foreigners beneficed in England	1239(?)	1240
Subsidy, higher clergy gifts, lower clergy income tax	1239	1240
Subsidy, exempt monasteries arbitrary sums, other clergy twentieth	1244	1246
Sums in commutation of the service of armed knights paid by some prelates		1246
Mandatory graduated income tax on absentee holders of benefices	1245	1247

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<i>Nature of revenue</i>	<i>Date of imposition or grant</i>	<i>Period of levy</i>
Subsidy, exempt monasteries and three clerks arbitrary sums, other clergy probably a tenth	1246	11 November 1247 to 2 February 1248
Mandatory graduated income tax on Italians beneficed in England	1247	24 June 1247 to 24 June 1248
Subsidy, twentieth	5 June 1252	Early in 1253
Mandatory tenth for three years	11 April 1250	4 July 1254 to Decem- ber 1256
Mandatory biennial tenth	23 May 1254	Only part collected, 1256-59
Procurations, nuncio	11 November 1256	1257
Procurations, nuncio		1258
Subsidy, gifts from higher clergy	January 1262	?
Procurations, nuncio		1263
Procurations, legate		1266-68
Mandatory triennial tenth	8 June 1266	Easter 1267 to 1270
Subsidy, tenth for two years	3 September 1272	16 April 1273 to 21 March 1274
Mandatory sexennial tenth	18 May 1274	24 June 1274 to 24 June 1280
Procurations, nuncio		1281
Procurations, nuncio	15 July 1290	1290
Procurations, nuncio	10 September 1291	1292
Mandatory sexennial tenth lev- ied only four years	18 March 1291	20 April 1292 to 3 May 1294; 27 January to 16 April 1301
Procurations, nuncio	3 October 1294	1294
Procurations, nuncios	20 February 1295	1295-97
Mandatory triennial tenth	26 February 1301	30 November 1301 to 16 January 1304
Procurations, nuncios		1306
Annates for three years	1 February 1306	1 February 1306 to 1 February 1309
Mandatory biennial tenth	1 August 1305	24 June 1306 to 1 De- cember 1307

<i>Nature of revenue</i>	<i>Date of imposition or grant</i>	<i>Period of levy</i>
Procurations, nuncio	28 November 1306	1307
Procurations, nuncios	1309	1309–11
Mandatory triennial tenth	1 August 1305; re- newed 18 May 1309	October 1309 to 24 June (?) 1312
Mandatory tenth for one year	30 May 1309	24 June to 25 Decem- ber 1313
Procurations, nuncio	30 October 1312	1313
Mandatory sexennial tenth lev- ied only one year	1 December 1312	1 October 1313 to 1 April 1314
Annates, three years	8 December 1316	8 December 1316 to same date 1319
Procurations, nuncios	17 March 1317	1317–18
Mandatory tenth, one year	28 March 1317	1 June to 1 October 1318
Mandatory tenth, one year, in Canterbury province	29 May 1319	13 October 1319 to 16 February 1320
Mandatory tenth, one year	18 December 1319	13 October 1320 to 16 February 1321
Procurations, nuncio	1320	1321
Mandatory biennial tenth	20 April 1322	February 1323 to 24 May 1324
Procurations, nuncios	1324	1324–25
Procurations, nuncios	1326	1326
Procurations, nuncios	1326	1327

APPENDIX II

LIST OF COLLECTORS

1173. Nicholas, papal subdeacon. Collector of an aid from English prelates: above, p. 175.

1188. Archbishops and their suffragans. Appointed on 10 February to collect compulsory alms from the clergy and voluntary alms from others for the crusade: Giraldus Cambrensis, *Opera*, viii, 236-39.

1195-96. Archbishops and their suffragans. Commissioned on 25 July 1195 to collect gifts for the crusade and before 12 January 1196 to collect redemptions: Ralph of Diceto, *Opera*, ii, 132-35; Roger of Hoveden, *Chron.*, vii, 317-19.

1198. Prior of Thurgarton and Vacaru <prebendary of Southwell>. Appointed on 13 August 1198 in association with a Hospitaller and a Templar to collect gifts for the Holy Land in the province of York: Roger of Hoveden, *Chron.*, iv, 70-75.

1199-1200. Archbishops and their suffragans. Appointed on 27 December 1199 to collect a fortieth and gifts for the Holy Land and by 1200 to collect redemptions: Roger of Hoveden, *Chron.*, iv, 108-12; *Decretales Gregorii IX*, lib. iii, tit. xxxiv, c. viii.

1200. Philip, master, papal notary and nuncio. Arrived in England before 24 April 1200 and was still there on 1 June 1206: *Rot. Chartarum*, p. 61; *Rot. Lit. Claus.*, i, 72; H.M.C., *Report on Various*, i, 216. Exercised some supervision over collection of the fortieth imposed in 1199: Ralph of Diceto, *Opera*, ii, 168, 169; *Reg. Malmesburiense*, i, 409.

1205. Peter, bishop of Winchester. Appointed collector of Peter's pence on 31 December: Delisle, 'Lettres,' *Bibl. de l'École des Chartes*, xxxiv, 414; *Cal. Pap. Regs. Letters*, i, 24.

1213. Philip de Oxonia, master, and Walter, archdeacon of London. Appointed to administer partial indulgences for gifts to a crusade: Migne, *Patrologia*, ccxvi, 817-23.

1213. Nicholas, cardinal bishop of Tusculum, legate. Arrived 27 September 1213 and remained probably until late in 1214: Tillmann, *Legaten*, pp. 98-107. Collector of a legacy for the pope and was associated with Pandulph in the collection of the tribute and Peter's pence: Mercati, 'La prima Relazione,' *Essays to R. L. Poole*, p. 288; *Rot. Lit. Claus.*, i, 153, 158; Rymer, *Foedera*, i, 118.

1213. Pandulph, master, papal subdeacon and nuncio. Appointed nuncio on 27 February 1213: *Cal. Pap. Regs. Letters*, i, 37; received tribute in 1213 and 1214 and possibly in 1215 and 1216: *Rot. Lit. Claus.*, i, 158, 180; above, pp. 141, 142; commissioned with the legate Nicholas, on 28 January 1213, to collect

Peter's pence: Rymer, *Foedera*, I, 118; still collecting it in 1215: above, p. 59; apparently ceased to be nuncio after arrival of Guala on 20 May 1216, but possibly before: Tillmann, *Legaten*, pp. 98, 108; *D.N.B.*, XLIII, 176.

1214. Leon, dean of Wells. Associated with Philip and Walter, who had been appointed in 1213, to administer partial indulgences: *Ann. de Dunstaplia*, p. 40.

1216. Guala, cardinal priest of Ss Silvestro e Martino ai Monti, legate. Arrived 20 May 1216; superseded by Pandulph in September 1218; left in December: Tillmann, *Legaten*, pp. 107–17. Collector of tribute: Shirley, *Royal Letters*, I, 6–8. Possibly general collector.

1218. Pandulph, master, cameral clerk and later camerarius, bishop-elect of Norwich to 1222, bishop after 1222, legate 1218–21, general collector, 1218–25. Appointed legate 12 September 1218: Potthast, *Reg.* 5905; appointed collector of obventions for Holy Land 5 September 1218: *Cal. Pap. Regs. Letters*, I, 58; arrived 3 December 1218: Tillmann, *Legaten*, pp. 116, 117; collected the twentieth from his arrival: *Cal. Pap. Regs. Letters*, I, 57; on 18 August 1220 was collecting twentieth, Peter's pence and census: *Reg. Honorii III*, 2620; retired from legateship 19 July 1221: *D.N.B.*, XLIII, 178; continued to receive tribute until 1225: above, pp. 143, 144.

1225. Otto, master, papal chaplain, subdeacon and nuncio. Arrived late in September 1225, left for France early in 1226, returned after 13 March 1226 and departed before 3 May 1226: above, pp. 144, 145, 186. Received payment of tribute: *Pat. Rolls*, 1225–32, pp. 24, 27, 28.

1227. Stephen of Anagni, papal chaplain, nuncio and general collector. Arrived late in 1227; left about 9 March 1231: *Pat. Rolls*, 1225–32, p. 150; *Ann. de Theokesberia*, p. 77. Collected tribute 1227–1229: *Cal. Lib. Rolls*, 1226–40, pp. 58, 70, 127, 147, 153; commissioned on 23 December 1228 to collect tenth, Peter's pence, census and any money owed to pope or Holy Land: *Vet. Reg. Sarisberiense*, II, 146.

1232. Berard of Sezze (de Sya), master, papal writer, and Silvester, master. Acted as assistants of Stephen in 1229; received royal safe conduct on 2 January 1232, after Stephen left: *Vet. Reg. Sarisberiense*, II, 149–52; *Pat. Rolls*, 1225–32, p. 457; probably continued work of collection.

1234. Boetius, master, papal chaplain and clerk, later cameral clerk, finally camerarius of Innocent IV: *C.P.R.* 1232–47, p. 222; Liberate Roll 27, m. 3; Liberate Roll (Chancery) 23, m. 2; *Cal. Pap. Regs. Letters*, I, 258, 295; Muniments of Dean and Chapter of Ely, Misc. Charters, Chapman nos. 101 b–e; Cista quarta, S. Wentworth 1. Collector of Peter's pence, arrears of twentieth, and revenues of English benefices possessed by clerks of the city of Rome confiscated by Gregory IX: *Ann. de Oseneia*, p. 80; Rodenburg, *Epistolae*, I, 503.

1234. Friars Minors, Friars Preachers and certain masters of theology, among whom was John de Sancto Quintino, appointed to collect gifts and redemptions

for the Holy Land: Roger of Wendover, *Flores*, iv, 330, 331; Matthew Paris, *Chron. Maj.*, iii, 287, 373; *Ann. de Theokesberia*, p. 95.

1234(?). Archbishops and bishops. Collectors of legacies and redemptions to 1241: Rymer, *Foedera*, i, 241; Matthew Paris, *Additamenta*, p. 91.

1236. Thomas, brother, papal cubicularius. Commissioned on 9 July 1236 to receive the tribute: Rymer, *Foedera*, i, 233; *Cal. Lib. Rolls, 1226-40*, p. 240. Probably identical with Thomas the Templar, a member of the papal household, who was collecting redemptions in the same year: Matthew Paris, *Chron. Maj.*, iii, 373, 374.

1237. Peter, bishop of Winchester. Appointed on 30 October and 2 November 1237 to collect redemptions and gifts for the Latin empire of Constantinople; associated in the latter with bishop-elect of Valence: *Regs. de Grégoire IX*, 3944, 3946. Peter died on 9 June 1238.

1237. Otto, cardinal deacon of S. Nicola in Carcere, legate a latere. Appointed 12 February, arrived about 29 June, and left on 7 January 1241: Pott-hast, *Reg.*, 10299; Matthew Paris, *Chron. Maj.*, iii, 395; iv, 84. Collector of tribute, subsidy, a fifth from aliens beneficed in England, and of legacies, redemptions, thirtieth and arrears of twentieth granted to Richard of Cornwall: *Cal. Lib. Rolls, 1226-40*, pp. 295, 408, 496; *Close Rolls, 1237-42*, pp. 175, 176; *Cal. Pap. Regs. Letters*, i, 170, 185; H.M.C., *Cal. of MSS. of Dean and Chapter of Wells*, i, 403. Probably general collector, but I have found no evidence that he collected census and Peter's pence.

1238. Provincial prior of Friars Preachers in England. Appointed on 26 November 1238 to administer indulgences in aid of the empire of Constantinople: *Regs. de Grégoire IX*, 4619. Probably succeeded the deceased Peter, bishop of Winchester.

1241. Peter Rubeus, master, papal clerk, nuncio, and Peter de Supino, master, papal scribe. Used by Otto as assistant collectors in England, Scotland and Ireland. After Otto left England on 7 January 1241, they remained as collectors, leaving after they received news of the death of Gregory IX, which occurred on 21 August 1241. During this period Peter Rubeus, who regarded himself the superior of his colleague, was addressed by the king as papal proctor and nuncio: Papal Bulls, 15/32; Matthew Paris, *Chron. Maj.*, iv, 35, 37, 55, 137, 160-62; *Regs. de Grégoire IX*, 5915-17; *Close Rolls, 1237-42*, pp. 345, 347, 353; *Cal. Lib. Rolls, 1226-40*, p. 295; Cotton MS. Claudius D. xiii, fol. 125^v.

1244. Archbishops, bishops, abbots, priors, deans, archdeacons, other prelates of churches and religious men. Ordered on 3 June to collect for Richard of Cornwall legacies, redemptions, thirtieth and twentieth arising before Richard's return to England (7 January 1242): Lunt, *Papal Revenues*, ii, 488, 489.

1244. Martin, master, cameral clerk, papal nuncio. Arrived about Easter and left 15 July 1245: *Ann. de Dunstaplia*, pp. 166, 167; Matthew Paris, *Chron. Maj.*, iv, 420, 421. Collector of tribute, subsidy, arrears of obventions and

legacies for Holy Land arising before 1242, arrears of subsidy levied for Gregory IX in 1240, and probably of Peter's pence: Matthew Paris, *Chron. Maj.*, iv, 369, 370; *Cal. of Documents relating to Ireland*, i, 398; *Cal. Lib. Rolls, 1240-45*, pp. 242, 264, 269, 285; *Ann. de Dunstaplia*, pp. 166, 167; *Ann. de Theokesberia*, p. 132; *Close Rolls, 1242-47*, p. 259; Potthast, *Reg.*, 11217. Received procurations of 10 shillings which were those commonly awarded to a general collector.

1244. Nicholas, master. Martin's assistant: *Cal. Lib. Rolls, 1240-45*, pp. 264, 269.

1245. Philip. Martin's assistant. When Martin left, he conferred his authority upon Philip: *Cal. Lib. Rolls, 1240-45*, p. 285; Matthew Paris, *Chron. Maj.*, iv, 422.

1245. Bishops. Ordered by council of Lyons in July to stimulate and collect legacies for Holy Land and Constantinople: Hefele, *Conciles*, viii, 367.

1246. John Sarracenus, papal subdeacon and chaplain, dean of Wells, minister of the order of Holy Trinity and Captives, and Giles de Wocumb, archdeacon of Berks. Appointed on 13 March to collect legacies, redemptions and twentieth for Holy Land granted to Richard of Cornwall. Giles, who was never active, was superseded by Berard of Nimfa on 13 October 1246; John still active as colleague of Berard on 13 January 1248: Matthew Paris, *Additamenta*, pp. 117-19, 135; *Regs. d'Innocent IV*, 4086.

1246. Bishops of Lichfield, Lincoln, London, Norwich, Winchester and Worcester. Appointed before 24 March to collect papal subsidy of 6,000 marks; apparently the work done chiefly by bishop of Norwich: Matthew Paris, *Chron. Maj.*, iv, 555-57, 623.

1246. John Anglicus, provincial minister of Friars Minor of Provence, papal nuncio, English by birth. Appointed in association with Alexander, a Franciscan, on 10 October 1246, to collect subsidy; arrived probably during February 1247; last mentioned 16 October 1250, when appointed auditor of accounts of collectors of legacies and obventions of Holy Land; probably general collector because received procurations of ten shillings: Matthew Paris, *Chron. Maj.*, iv, 599, 617; *idem*, *Additamenta*, pp. 119, 144; *Close Rolls, 1247-51*, p. 242; Prynn, *Records*, ii, 694; *Cal. Pap. Regs. Letters*, i, 263; Potthast, *Reg.*, 12296, 12615.

1246. Berard of Nimfa, papal chaplain and scribe, rector of Langley in diocese of Lincoln, native of a suburb of Rome: *Regs. d'Innocent IV*, 2305, 4086, 4640; Papal Bulls, 19/27; Matthew Paris, *Chron. Maj.*, v, 707; *Cal. Pap. Regs. Letters*, i, 299. Appointed on 13 October as colleague of John Sarracenus and successor to Giles de Wocumb to collect obventions, legacies, twentieth and thirtieth granted to Richard of Cornwall; appointment renewed on 21 June 1257 with bishop-elect of Lichfield as a colleague; died in England in 1258: *Cal. Pap. Regs. Letters*, i, 240, 346; *Regs. d'Alexandre IV*, 2013; Matthew Paris, *Chron. Maj.*, iv, 635; v, 74, 146, 177, 178, 707, 713; *idem*, *Additamenta*, pp. 134-38; Ger-

vase of Canterbury, *Cont.*, II, 203; *Ann. de Dunstaplia*, pp. 172, 186; *C.P.R. 1247-58*, p. 371.

1246. Bishop of Tusculum, legate. Appointed on 6 November preacher of crusade in France, England and elsewhere; superseded as collector of obventions in England by bishops of Lincoln and Worcester: *Regs. d'Innocent IV*, 2229, 2843.

1246. Marinus, master, papal chaplain. Appointed on 29 December to collect half the revenues of absentee holders of benefices for empire of Constantinople: Rymer, *Foedera*, I, 264; Matthew Paris, *Chron. Maj.*, IV, 601, 602.

1247. Bishops of Lincoln and Worcester. Appointed before 10 February collectors of obventions and legacies for Holy Land; superseded on 17 October 1250: *Regs. d'Innocent IV*, 2961; *Cal. Pap. Regs. Letters*, I, 234, 263.

1247. Archbishops and bishops. Ordered in May to collect graduated income tax from Italians benefited in England: *Cal. Pap. Regs. Letters*, I, 235; *Regs. d'Innocent IV*, 2997.

1250. Archbishops of Canterbury and York and bishops of Chichester, Exeter and St Davids. Commissioned on 26 April 1250 to collect gifts, redemptions and pecuniary penances for Holy Land arising after 6 March 1250: Rymer, *Foedera*, I, 272, 273.

1250. Archbishops of Canterbury and York and bishops of Ely, Hereford and Durham. Appointed on 30 April to collect tenth and also gifts, legacies and redemptions for Holy Land; commissioned again on 1 September 1252; superseded before collection of tenth began in 1254: Rymer, *Foedera*, I, 274, 285, 288; Matthew Paris, *Additamenta*, pp. 296-98.

1250. John of Kent, papal chaplain and nuncio. Tribute ordered to be paid to him on 4 May and he received it usually thereafter until 1263: *Liberate Roll* (Chancery) 27, m. 9; above, pp. 150-54. In 1256 he was acting with Rostand as joint executor of business of the cross: *C.P.R. 1247-58*, pp. 470, 498. Apparently acted as general collector for Alexander IV; appointed on 5 and 13 December by Urban IV collector of Peter's pence and tribute and was collecting census: *Regs. d'Urbain IV*, I, 48-50; Jensen, 'Denarius Sancti Petri,' *T.R.H.S.*, new ser., XIX, 244, 245. Leonard appointed general collector on 19 January 1262, but on 8 July king ordered tribute to be paid to John in the presence of Leonard, as if the two were colleagues: *Regs. d'Urbain IV*, 128-32; *Liberate Roll* (Chancery) 38, m. 6. John replaced Leonard on 18 June 1263: *Regs. d'Urbain IV*, I, 195, 196. John was superseded by Sinitius on 23 May 1266, but he was ordered to assist the new collector: *Cal. Pap. Regs. Letters*, I, 423, 424; Potthast, *Reg.*, 19647.

1250. Bishop of Chichester (Richard to 3 April 1253, John after 11 January 1254) and archdeacon of Essex. Superseded bishops of Worcester and Lincoln on 16 and 17 October as collectors of redemptions, legacies and offerings for Holy Land arising between 7 January 1242 and 6 March 1250; superseded before 3 May 1254 by himself, the bishop of Norwich and the abbot of Westminster:

Regs. d'Innocent IV, 4875, 4876, 4880, 4881; *Cal. Pap. Regs. Letters*, I, 263, 264; *C.P.R.* 1247-58, p. 370.

1251. Archbishops of Canterbury and York and bishops of Hereford and Ely. Commissioned on 7 March to collect legacies and gifts to Holy Land made before 6 March 1250, apparently in addition to bishop of Chichester and archdeacon of Essex: *Regs. d'Innocent IV*, 5127.

1252. Bishops of Lincoln, London and Worcester. Appointed on 5 June collectors of subsidy of 6,000 marks granted to pope by English clergy: Matthew Paris, *Additamenta*, pp. 213-16, 232, 233.

1252. Abbot and prior of Westminster. Appointed on 14 and 15 October to excommunicate those committing fraud in payment of tenth and to collect for Holy Land goods bequeathed to pious uses not expressly named and the gains from usury or other illicit transactions which penitents wished to restore in ignorance of the proper owners: Rymer, *Foedera*, I, 286, 287.

1253. Bishops of Norwich and Chichester and abbot of Westminster. Appointed on 12 September collectors of tenth, superseding archbishops of Canterbury and York and bishops of Ely, Hereford and Durham: Matthew Paris, *Additamenta*, pp. 296, 297; on 13 November bishop of Chichester styled by king preacher of cross, collector of tenth and executor of other things pertaining to cross: Rymer, *Foedera*, I, 288; business of cross committed to the three on 3 May 1254 by king's council acting on authority of apostolic see: *C.P.R.* 1247-58, p. 370; superseded on 19 to 22 May 1255: *Ann. de Burton*, p. 350.

1254. Bishops of Norwich and Chichester and abbot of Westminster. Appointed on 23 May collectors of additional biennial tenth; superseded on 19 to 22 May 1255; Rymer, *Foedera*, I, 303; *Ann. de Burton*, p. 350, 351.

1255. John de Canter, Friar Minor of Worcester diocese, and archdeacon of Middlesex. Commissioned between 20 December 1254 and 28 July 1255 to collect obventions and legacies for Holy Land; probably superseded at latter date: Rymer, *Foedera*, I, 325.

1255. Rostand Masson, master, papal chaplain, subdeacon and nuncio, canon of Bordeaux, native of Gascony: Lunt, *Valuation of Norwich*, p. 84. Appointed with archbishop of Canterbury, who remained inactive, on 29 April to 21 May collector of tenth and of obventions, redemptions, legacies and indistinct legacies for Holy Land and executor of the business of the cross: *Ann. de Burton*, pp. 350, 351. Arrived about 29 September; left for Rome about 8 June 1256, leaving as his commissioners Bernard of Siena, William of Lichfield and Nicholas de Plumpton, who accounted to him on 18 February 1257; went to Rome again early in July 1257; while there, on 4 October 1257, apparently he and the archbishop were superseded: *Ann. de Dunstaplia*, pp. 196, 206; *C.P.R.* 1247-58, pp. 449, 478, 519, 521, 525, 565-67, 587, 588; Prynne, *Records*, II, 864, 868, 917; Rymer, *Foedera*, I, 346, 356, 357, 363; Matthew Paris, *Chron. Maj.*, v, 647. Appointed collector of graces granted in summer of 1256: Rymer, *Foedera*, I, 344-46.

On 2 September 1256 the bishop of Norwich and the abbot of Peterborough were commissioned to collect the tenth, obventions, legacies and redemptions: Rymer, *Foedera*, I, 346; apparently did not supersede Rostand: Rymer, *Foedera*, I, 345, 352; Matthew Paris, *Additamenta*, p. 350; *Cal. Pap. Regs. Letters*, I, 345; *Close Rolls, 1256-59*, pp. 42, 118; *C.P.R. 1247-58*, pp. 566, 587. After his dismissal returned to England about 3 March 1258; remained in royal service until 1259, when he became a monk; died in England before 7 September 1262: Matthew Paris, *Chron. Maj.*, v, 672, 673; *Ann. de Dunstaplia*, pp. 208, 214; *Ann. de Theokesberia*, p. 163; *C.P.R. 1247-58*, pp. 620, 629, 649, 650; 1258-62, p. 106; Prynne, *Records*, II, 957; Rymer, *Foedera*, I, 388; *Cal. Pap. Regs. Letters*, I, 385; *Regs. d'Urbain IV*, I, 140.

1255. Pagano, provost of church of Holy Saviour of diocese of Genoa, papal chaplain. Received payment of tribute on 18 June 1255: *Liberate Roll* 12, m. 1^v; 14, m. 2; 15, m. 2.

1255. Bernard, master, canon of Siena, papal subdeacon, chaplain and nuncio. Commissioned to collect tenth before 12 October; acted as commissioner for Rostand during his absence from 8 June 1256 to 18 February 1257; later served Urban IV as nuncio: Rymer, *Foedera*, I, 330; *C.P.R. 1247-58*, p. 587; *Cal. Pap. Regs. Letters*, I, 408, 417.

1256. Bishop of Norwich and abbot of Peterborough. Appointed on 2 September, with same powers as Rostand and the archbishop, to collect tenth and legacies, gifts and redemptions for Holy Land; apparently superseded on 4 October 1257: Rymer, *Foedera*, I, 346, 367, 368.

1257. Sinitius, master, papal scribe and cameral clerk, canon of Chichester. On 18 February acting as receiver of tenth and obventions and still present in 1261; *C.P.R. 1247-58*, pp. 566, 587, 632; 1258-66, p. 193; *Regs. d'Alexandre IV*, 2392; Prynne, *Records*, II, 917.

1257. The elect of Lichfield and Berard of Nimfa. Appointed on 21 June to collect redemptions and legacies still owed to Richard of Cornwall: *Regs. d'Alexandre IV*, 2013.

1257. Bishop of Salisbury, prior of St Andrew, Northampton and archdeacon of Canterbury. Appointed on 4 October collectors of tenth and of obventions and legacies for Holy Land or Sicily; superseded on 26 December: Rymer, *Foedera*, I, 363.

1257. Bishops of Bath and Wells, Ely and Rochester. Appointed on 22 December to collect 5,500 marks from the biennial tenth: *Flores Historiarum*, III, 349-52.

1257. Archbishops and bishops. Appointed on 26 December to collect the tenth and obventions, redemptions and indistinct legacies for Holy Land: Rymer, *Foedera*, I, 367, 368.

1261. Peter de Piperno, master, papal chaplain and formerly cameral clerk.

Commissioned on 20 March to collect a subsidy, but letter not expedited: *Liber Censuum*, I, 559; *C.P.R. 1232-47*, p. 159; *Regs. d'Urbain IV*, I, 125.

1261. John of Frosinone (Fruseny, Frissinton, Frissinon), canon of Dublin. Appointed on 26 September to collect money of Roman church deposited in England and transfer it to cameral merchants: *Cal. Pap. Regs. Letters*, I, 380.

1262. Leonard, master, cantor of Messina, papal chaplain, nuncio and general collector. Commended to English clergy on 13 January; appointed on 19 January to collect any debt owed to the Roman church or the Holy Land from a vow, promise, tenth, twentieth, redemption of a vow of a crusader or another, deposit, testament, census, goods of a clerk deceased intestate, Peter's pence or other source, and the arrears of the half of the revenues of benefices of absentees granted in aid of the empire of Constantinople by the council of Lyons; appointed on 21 January to collect a papal subsidy; given procurations of 10 shillings a day on 5 February; ordered on 7 September to collect Rostand's bequest to papal camera; superseded by John of Kent on 18 June 1263; *Regs. d'Urbain IV*, I, 3, 128-40, 145, 195, 196; *Cal. Pap. Regs. Letters*, I, 382-86.

1262. Sinitius. Ordered on 26 September to collect the money assembled for apostolic see in France and neighboring regions; given an acquittance on 24 October for money collected in France and England: *Regs. d'Urbain IV*, I, 9, 394.

1263. Bishop of Worcester. Appointed on 1 to 4 October collector in England of obventions, legacies and a hundredth for five years in aid of Holy Land: *Regs. d'Urbain IV*, II, 466-68; *Cal. Pap. Regs. Letters*, I, 394.

1263. Bishop of St Davids. Appointed on 3 October to collect hundredth in aid of Holy Land for five years in Wales: *Cal. Pap. Regs. Letters*, I, 394.

1266. Sinitius. Appointed on 23 May as general collector to collect whatever was owed to apostolic see or Holy Land from census, Peter's pence, vow, promise, tenth, twentieth, redemptions of vows of crusaders or others, deposits, testaments, goods of clerks dying intestate or any source, and by separate commission to collect tribute; allowed procurations of 7 shillings a day; apparently still acting as collector on 16 February 1270; died in 1279 or before: *Regs. de Clément IV*, 765, 766; *Cal. Pap. Regs. Letters*, I, 424; Prynne, *Records*, II, 311; *C.P.R. 1266-72*, pp. 392, 409; Cotton MS. Claudius D XIII, fol. 128.

1266. Ottobon, cardinal deacon of S Maria in Via Lata, legate. Commissioned as legate 4 to 13 May 1265; *Regs. de Clément IV*, 40-78; arrived in October: *C.P.R. 1262-66*, p. 465; *Ann. de Oseneia*, pp. 179, 180; William of Newburgh, *Cont.*, p. 549; appointed on 9 June 1266 to collect triennial tenth: *Cal. Pap. Regs. Letters*, I, 432; engaged on 25 October 1266 with collection of obventions and legacies for Holy Land: *Regs. de Clément IV*, 1146; in view of his coming departure appointed the archbishop of York on 1 July 1268 to take his place as collector: Wilkins, *Concilia*, II, 21.

1272. Pierre d'Aussone, master, canon of St Martin, Tours, papal nuncio. A Peter de Auxona received royal safe conduct to come to England in 1265 and

was official of the archbishop of Canterbury in 1268: *C.P.R. 1258-66*, p. 462; *Reg. of W. Giffard*, p. 142. Appointed with two colleagues on 4 March to execute will of late archbishop of Canterbury: *Cal. Pap. Regs. Letters*, I, 447. Associated with Raymond de Nogaret on 7 October to collect subsidy and in 1272 to collect obventions and legacies for Holy Land; apparently ceased to be Raymond's colleague before 7 March 1275: see Raymond de Nogaret.

1272. Raymond de Nogaret, master, canon of St Caprais at Agen, papal chaplain, nuncio and general collector, a Gascon. Arrived during November: *Liber de antiquis Legibus*, p. 157. Commissioned on 7 October to collect census, Peter's pence, legacies, goods of intestates and other debts owed to apostolic see: Worcester Diocesan Registry, *Reg. of Giffard*, fol. 37^v; appointed on same day with Pierre d'Aussone to collect subsidy of biennial tenth for king and his brother: *Reg. of W. Giffard*, pp. 39-41; *Regs. de Grégoire X*, 193; appointed in 1272 with Pierre to collect obventions and legacies for Holy Land: Hirsch-Geruth, *Studien*, p. 21, n. 56; on 20 September or 21 October 1274 made the colleague of John of Darlington for collection of conciliar, sexennial tenth: *Reg. of W. Giffard*, pp. 274-76; on 6 November 1274 king was asked to pay the tribute to him: Prynne, *Records*, III, 157, 158; Papal Bulls, 47/5. He and Pierre were authorized to exact procurations of 8 shillings a day each: Worcester Diocesan Registry, *Reg. of Giffard*, fols. 37-38. Raymond's association with Pierre apparently ended before 7 March 1275, when Raymond asked only for his own procurations: *ibid.*, fol. 49^v. Superseded as general collector by Geoffrey of Vezzano in 1276 and as collector of tenth by Arditio on 12 February 1277.

1274. Archbishops and bishops. Appointed on 17 September collectors of legacies, gifts, redemptions and pecuniary penances for specified offenses: *Regs. de Grégoire X*, 569.

1274. John of Darlington, prominent English Dominican, theologian, formerly confessor to Henry III and member of his council. Appointed on 20 September or 21 October with Raymond de Nogaret collector of sexennial tenth: *Cal. Pap. Regs. Letters*, I, 449; *Reg. of W. Giffard*, pp. 274-76; associated on 27 October 1275 with Gerard de Grandson, who, at his departure on 12 January 1277, conferred his fuller powers on John; Arditio replaced Raymond on 12 February 1277; John went to Rome in 1278 as royal nuncio; appointed archbishop of Dublin on 12 February 1279; replaced as collector by Geoffrey of Vezzano on 7 October 1283: Lunt, 'Papal Tenth,' *E.H.R.*, xxxii, 50, 61-66, 84; *Cal. Pap. Regs. Letters*, I, 457; Theiner, *Vet. Mon. Hibernorum*, p. 126.

1275. Gerard de Grandson, bishop-elect of Verdun (bishop after 29 March 1276), canon of Salisbury before he became bishop. Appointed on 27 October collector of sexennial tenth with fuller powers than his colleagues, Raymond and John; his commission renewed by Innocent V on 30 April 1276; conferred his powers upon John on 12 January 1277, because he had to leave for Verdun on business; return prevented by death in 1278: Potthast, *Reg.*, 21043; Lunt, 'Papal Tenth,' *E.H.R.*, xxxii, 61-66, 68, 69; 'Ann. S. Vitoni,' *M.G.SS.*, x, 528.

1276. Geoffrey of Vezzano, master, canon of Cambrai, cameral clerk, papal nuncio and general collector. He may have been the Master Geoffrey who was in England as chamberlain of Cardinal Ottobon in 1267 and was still there in 1270: *C.P.R.* 1266–72, pp. 75, 177, 227, 405. Appointed general collector by John XXI in 1276; commission lacking, but he wrote on 5 November 1277 that a year of his stay as collector of census would be completed on 17 January 1278: Worcester Diocesan Registry, Reg. of Giffard, fols. 69^v–70^v, 144^v; *Reg. of Swinfield*, p. 341; on 2 April 1282 he was collecting procurations for the sixth year of his sojourn: Muniments of Dean and Chapter of Westminster, 53/9442; of Norwich, Obedientiary Roll 6. On 18 December 1276 king was asked to pay tribute to him: Rymer, *Foedera*, I, 540; he was also collecting census, Peter's pence and the goods of intestates among other things. His commission from Nicholas III is also lacking, but on 15 June 1280 he gave orders to archbishop of York about delivery of his procurations and Peter's pence, and on 8 November 1280, when the apostolic see was vacant, he issued similar orders: *Reg. of Wickwane*, pp. 239, 245, 246. Martin IV, on 21 August 1281, asked Edward I to pay the tribute to him, on 7 March 1282 appointed him general collector and collector of all owed to the Holy Land from a vow, promise, redemption of vow, deposit, testament or any other source except the tenth, and on 7 October 1283 substituted him for John of Darlington as collector of sexennial tenth: *Cal. Pap. Regs. Letters*, I, 469, 475, 477; Worcester Diocesan Registry, Reg. of Giffard, fols. 144–145; Theiner, *Vet. Mon. Hibernorum*, p. 126. His general commission included census, Peter's pence and other things. His commissions from Honorius IV and Nicholas IV are lacking, but the evidence that he served them as general collector is abundant: *Cal. Pap. Regs. Letters*, I, 486; *Reg. of G. Giffard*, p. 254; *Regs. de Nicolas IV*, 7014; *Reg. of Swinfield*, p. 341; Muniments of Dean and Chapter of Westminster, 53/9439, 9440; Oblig. 11, fol. 20. Boniface VIII commissioned him as general collector on 15 May 1296, substituted him on 10 June 1296 for the bishop of Lincoln as collector of the sexennial tenth imposed in 1291, and appointed him on 27 October 1297 to collect the procurations of the bishops of Albano and Palestrina: *Reg. of Swinfield*, p. 341; *Cal. Pap. Regs. Letters*, I, 565; *Regs. de Boniface VIII*, 2088. Geoffrey was appointed bishop of Parma on 1 April 1299, was superseded as collector of sexennial tenth on 16 March 1300 by dean of St Paul's and abbot of Waltham, was still in England on 10 May 1300: Potthast, *Reg.*, 24809; *Regs. de Boniface VIII*, 3542; *Liber Quotidianus Garderobae*, p. 61. He departed in 1300, leaving the office of general collector vacant. He died before or during 1301.

1277. Arditio de Comite (*alias* de Sancto Laurencio), master, dean (primicerius) of Milan, papal chaplain and auditor of causes of the papal palace: *Liber de Bernewelle*, p. 205; *C.P.R.* 1272–81, p. 210. Appointed collector of sexennial tenth on 12 February 1277 in succession to Raymond de Nogaret and as the associate of John of Darlington; left Roman court on 19 March 1277; reached London by 17 May; appointed bishop of Modena on 23 December 1281; left England on 1 July 1282: Lunt, 'Papal Tenth,' *E.H.R.*, xxxii, 50, 53, 54, 71, 72; *Reg. de Jean XXI*, 106; *C.P.R.* 1272–81, p. 210; Potthast, *Reg.*, 21827.

1291. Bishops of Lincoln and Winchester. Appointed on 18 and 29 March collectors of sexennial tenth and of obventions and legacies for Holy Land: *Cal. Pap. Regs. Letters*, I, 552; Cotton, *Historia*, p. 187; bishop of Lincoln released on account of old age on 10 June 1296 and Geoffrey of Vezzano put in his place; bishop of Winchester and Geoffrey succeeded by dean of London and abbot of Waltham on 16 March 1300: *Cal. Pap. Regs. Letters*, I, 565; *Regs. de Boniface VIII*, 3542.

1300. Bishop of Winchester and Bartholomew of Ferentino appointed on 5 February to collect deposits and arrears of sexennial tenth imposed in 1274; on 23 December 1300 they named Master John de Luco, canon of London, and John Bonichi of Siena to act as their commissioners, Bartholomew being at the papal court: *Cal. Pap. Regs. Letters*, I, 585; Muniments of Dean and Chapter of Westminster, 72/12325; Oblig. 1, fol. 13. The bishop died on 4 December 1304.

1300. Dean of St Paul's and abbot of Waltham. Substituted on 16 March for bishop of Winchester and Geoffrey as collectors of sexennial tenth imposed in 1291 and of obventions and legacies for Holy Land; superseded on 3 December by Bartholomew of Ferentino; the abbot died before 25 July 1302 and the dean accounted to Bartholomew: *Regs. de Boniface VIII*, 3542, 4436; *Reg. of Gandavo*, I, 31-33; Lunt, 'Collectors' Accounts,' *E.H.R.*, xxxi, 119; Baethgen, 'Quellen,' *Q.u.F.*, xx, 235-27.

1300. Bartholomew of Ferentino, master, canon of St Paul's. Appointed, as noted above, to collect arrears and deposits of tenth imposed in 1274 and tenth imposed in 1291; commissioned with John Bonichi by Geoffrey at an unknown date to collect procurations of Berard and Simon and they were exercising the commission on 22 July 1302: Muniments of Dean and Chapter of Ely, 116 B; commissioned with bishop of London on 26 February 1301 to collect triennial tenth: *Red Book of the Exchequer*, III, 1048-52; *Reg. of Gandavo*, I, 37-41; ordered on 18 March 1301 to collect the tribute: *Regs. de Boniface VIII*, 4331-33; acted as royal nuncio at papal court from 16 February 1303 to 22 March 1304 while John Bonichi served as his commissioner: *C.P.R. 1301-7*, pp. 116, 153, 158, 200; Lunt, *Papal Revenues*, I, 296; Devon, *Issues*, p. 116; Prynne, *Records*, III, 989, 1002; Exch. K. R. Ecclesiastical Documents, 10/3, 10/4; K.R. Memo. Roll 77, m. 57^v; Muniments of Dean and Chapter of Westminster, 72/12325; superseded as collector of all dues on 16 February 1304 by Gerard of Pecorara to whom he accounted: *Regs. de Benoît XI*, 1213; Lunt, 'Account,' *E.H.R.*, xxviii, 319; Inst. Misc. 377. He probably was not general collector. The amount of arrears of Peter's pence and census recovered by Testa after 1306 indicates that these revenues had not been collected for several years, and there is no evidence that Bartholomew levied procurations.

1300. John Bonichi of Siena, apparently a factor of the Clarenti of Pistoia: Exch. K.R. Accounts, 365/6, fol. 1^v. Acted in capacities noted under 'Bishop of Winchester and Bartholomew of Ferentino' and 'Bartholomew of Ferentino'; associated in 1301 with Algutio de Bredine of hospital of S. Spirito in Sassia of

Rome to help Spini obtain goods of Geoffrey of Vezzano, who had died intestate at Roman court: Baethgen, 'Quellen,' *Q.u.F.*, xx, 233.

1301. Bishop of London. Associated with Bartholomew on 26 February 1301 to collect triennial tenth as noted above; died on 8 December 1303.

1304. Gerard of Pecorara, master, canon of Reims, papal chaplain, nuncio and general collector. Commissioned on 16 February to collect Peter's pence, census, tenths imposed by Gregory X, Nicholas IV and Boniface VIII, remainder of procurations, legacies to apostolic see, goods of late Geoffrey, and any other debts to apostolic see, as well as indistinct legacies, pecuniary penalties, promised gifts, redemptions of vows and other debts owed to Holy Land; authorized by separate commission to collect tribute when it fell due: *Regs. de Benoît XI*, 1213-22; forced by king on 19 July to revoke orders issued to previous deputy collectors, because he had exercised his commission without consulting king; forbidden by king on 14 November to continue work of collection, because his new orders issued to deputies on 31 October offended king; ordered by king on 7 December to leave kingdom; left for Reims on next day: Prynné, *Records*, III, 1031; Exch. K.R. Ecclesiastical Documents, 19/69; Muniments of Dean and Chapter of Westminster, 73/12380; Inst. Misc. 377; Lunt, 'Account,' *E.H.R.*, xxviii, 318-21; *Ann. Londonienses*, p. 134.

1305. Bishops of Lincoln and London. Appointed on 2 August to collect two biennial tenths and a triennial tenth to run successively from 1 November; second biennial tenth not levied; commission for triennial tenth renewed on 18 May 1309: *Reg. of Gandavo*, I, 223-26, 355-57; Wilkins, *Concilia*, II, 288, 289. See of London then vacant was filled on 30 January 1306 by consecration of Ralph Baldock.

1306. William Testa, master, archdeacon of Aran in diocese of Comminges, native of Gascony, papal nuncio and general collector. Sent to England on 25 August 1305 to announce papal election; appointed on 1 February 1306 with William Géraud de Sore to collect annates; commissioned on 23 March to collect arrears of tenths imposed by Gregory X, Nicholas IV and Boniface VIII, census, Peter's pence, procurations of previous legates and nuncios, goods of Geoffrey, and indistinct legacies, pecuniary penalties, obventions, legacies and redemptions for Holy Land; received bishop of Worcester as associate on 22 May 1309 for collection of arrears of tenths and obventions and legacies for Holy Land; promoted to cardinalate on 23 or 24 December 1312; superseded on 8 March 1313; royal safe conduct for departure issued on 20 May 1313: Lunt, 'William Testa,' *E.H.R.*, xli, 332-57.

1306. William Géraud de Sore, canon of Rouen, papal chaplain. Appointed on 1 February the colleague of Testa for collection of annates; not as active as Testa; appears to have been superseded by Peter Amauin in 1307: Lunt, 'First Levy,' *A.H.R.*, xviii, 56, 57, 62-64.

1306. William de Prat, master, canon of Comminges, papal nuncio. Asso-

ciated with Testa as collector of annates in province of York; last mentioned in 1312: below, p. 684; *E.H.R.*, xli, 353, 354; *Cal. Pap. Regs. Letters*, II, 48, 58, 77; Muniments of Dean and Chapter of Durham, Misc. Charter 4298.

1306(?). Garsie Arnaud de Garlens, canon of Auch, papal chaplain and nuncio. Acted as an associate or assistant of Testa; first mention 1308, last 1312: *Cal. Pap. Regs. Letters*, II, 48, 58, 77, 78; Lunt, 'William Testa,' *E.H.R.*, xli, 356; *C.P.R. 1307-13*, p. 392.

1307(?). Peter Amauin, canon of Bordeaux, papal nuncio. Associate of Testa; first mention 4 April 1307, last 25 December 1309; may have succeeded William Géraud de Sore as Testa's colleague in collection of annates: Rymer, *Foedera*, I, 1014; *Cal. Pap. Regs. Letters*, II, 48, 77; Lunt, 'First Levy,' *A.H.R.*, xviii, 57; *Reg. Clementis V*, 2372.

1308. Archbishops and bishops. Appointed on 11 August collectors of gifts, pecuniary penances and commutations of vows of abstinence and of pilgrimage to places other than Jerusalem: *Reg. of Gandavo*, I, 303-12; *Reg. of Halton*, I, 317.

1309. Bishop of Worcester. Associated on 22 May with Testa to collect arrears of tenths imposed by Gregory X, Nicholas IV and Boniface VIII and of legacies and obventions for Holy Land; arrangement continued under Testa's successor, William de Balaeto, at least to 1314: above, p. 360. Walter Reynolds was translated from Worcester to Canterbury on 1 October 1313; his successor, Walter Maidstone, was consecrated to Worcester on 7 October.

1309. Bishops of Lincoln and London. Appointed on 30 May to collect tenth for a year which was to run from 1 November 1312: K.R. Memo. Roll, 8 Edward II, m. 153^v. Bishop of London died on 24 July 1313.

1310. John de Sancto Quintino, king's clerk. Appointed to act as commissioner of bishop of Worcester for collection of arrears of tenths, obventions and legacies; commission renewed on 4 June 1313: K.R. Memo. Roll, 4 Edward II, mems. 7, 54; Worcester Diocesan Registry, *Reg. of Reynolds*, fol. 84.

1312. Archbishops and bishops. Appointed on 1 December 1312 to collect sexennial tenth decreed by council of Vienne: *Reg. Dunelmense*, I, 373-79. Only one year collected.

1313. William de Balaeto, archdeacon of Fréjus, canon of Lincoln (1316), papal chaplain, nuncio and general collector. Came to England before 4 March bearing letters to king: Rymer, *Foedera*, II, 205; put in place of Testa on 8 March and commissioned to collect Peter's pence and tribute and to carry out the business committed to Testa: *Cal. Pap. Regs. Letters*, II, 117; *Reg. Dunelmense*, I, 457-61; new commission on 26 September to collect census, Peter's pence, arrears of tenths imposed by Gregory X, Nicholas IV and Boniface VIII, and other debts owed to apostolic see, and obventions, redemptions, legacies and other debts owed to Holy Land: Lambeth Palace Library, *Reg. of Reynolds*, fols. 33^v, 44^v; Wilkins, *Concilia*, II, 431, 432; commission renewed by John XXII on 25

September 1316, adding to former duties collection of balance of procurations due former legates and nuncios and sums placed in deposit by former collectors: *Cal. Pap. Regs. Letters*, II, 126; commissioned on 18 November specifically to collect procurations of Arnaud, cardinal of S Prisca: *ibid.*, II, 443; papal letter accrediting him to king issued same day: Salisbury Diocesan Registry, Reg. of Mortivall, II, fol. 23; Lambeth Palace Library, Reg. of Reynolds, fol. 214; ordered on same day to take oath to discharge his duties faithfully, the collection previously having been found scanty: *Cal. Pap. Regs. Letters*, II, 443; oath taken by him before archbishop of Canterbury on 29 December: Lambeth Palace Library, Reg. of Reynolds, fol. 238^v; ordered on 29 May 1317 to deliver all his documents to Rigaud and to appear at papal camera to account: *Cal. Pap. Regs. Letters*, II, 436; died before 25 April 1320 and his brother Raymond concluded his account with camera: *C.P.R. 1317-21*, p. 443; Göller, *Einnahmen unter Johann XXII*, pp. 78*, 310; *Cal. Pap. Regs. Letters*, II, 453; *Introitus et Exitus* 54, fol. 27^v.

1316. Rigaud d'Assier, master, professor of civil law, canon of Orléans, bishop of Winchester (appointed 26 November 1319 and consecrated 16 November 1320), auditor of papal palace, papal nuncio and general collector: *C.P.R. 1317-21*, p. 26; *Cal. Pap. Regs. Letters*, II, 424; *Regs. of Sandale and Asserio*, p. xxxvii. Appointed on 8 December 1316 collector of annates, on 1 May 1317 collector of Peter's pence and arrears of tenths; superseded William de Balaeto on 29 May 1317: *Cal. Pap. Regs. Letters*, II, 126, 127, 436; *Collectorie* 350, fol. 57; letters dispatched to England by him from papal court on 18 June 1317; his royal safe conduct dated 24 September 1317: *Collectorie* 350, fol. 57; *C.P.R. 1317-21*, p. 26; commissioned on 29 October 1317 to collect tribute: Rymer, *Foedera*, II, 345; died at papal court on 12 April 1323 while still collector: *Reg. of Sandale and Asserio*, p. xxxvii.

1317. Bishops of Winchester and Exeter. Appointed on 28 March to collect a tenth: K.R. Memo Roll, 13 Edward II, m. 88.

1319. Archbishop of Canterbury and bishop of London appointed on 29 May to collect tenth in province of Canterbury: Wilkins, *Concilia*, II, 493; appointed on 18 December with archbishop of Dublin to collect another tenth: *Reg. of Gravesend*, p. 223.

1322. Archbishop of Canterbury and bishops of Lichfield and London. Appointed on 22 April collectors of a biennial tenth: Wilkins, *Concilia*, II, 514, 515.

1323. Hugh of Augoulême, sacristan of Narbonne, prebendary of Riccall in York and Kentishtown in London, member of papal household (1316), papal nuncio and general collector: *C.P.R. 1324-27*, p. 17; Schäfer, *Ausgaben*, pp. 123, 551. Commissioned on 29 July as successor of Rigaud to collect tenths imposed by Gregory X, Nicholas IV, Boniface VIII and Clement V, Peter's pence, residue of procurations of legates and nuncios, procurations of Geoffrey of Vezzano, pecuniary penalties and redemptions of vows for Holy Land, and other dues; also collected annates: *Cal. Pap. Regs. Letters*, II, 451; *Introitus et Exitus*

146, fol. 23. Accredited to king on 10 September and his royal protection dated 28 December: Roman Transcripts, General Series, 72; *C.P.R. 1321-24*, p. 359; permitted to end mission and return to papal court on 22 May 1328 on account of ill health; superseded by Itier de Concoreto on 22 August 1328: *Cal. Pap. Regs. Letters*, II, 486, 488.

APPENDIX III

LISTS OF ASSESSORS AND DEPUTY COLLECTORS OF TENTHS

1. Deputy collectors of the triennial tenth levied 1254-56

Supplementary Close Roll 2, m. 6; Lunt, *Valuation of Norwich*, p. 85, n. 1; Muniments of Dean and Chapter of Durham, Locellus XIX, 45.

Province of Canterbury

Bath and Wells	Master Richard de Whippested'
Canterbury	Master Hugo de Mortuomari
Chichester	Master Geoffrey de Feringes, precentor of Winchester
Ely	Prior of Barnwell; Master Simon de Asceles, king's clerk
Exeter	Prior of St Nicholas; archdeacon of Exeter
Hereford	William Ros, rector of Diddlebury; dean of Hereford; Master Alexander of Savoy
Lichfield	Dean of Hereford; Alexander of Savoy
Lincoln	Prior of Lewes; prior of St Andrew, Northampton; Elias, clerk
London	Abbot of Walden; Master Robert de Novo Mercato
Norwich	Master William de Clare, archdeacon of Sudbury; Master Robert de Melkeley; Master Bartholomew de Bonvyle
Rochester	Hugo de Mortuomari
Salisbury	Bishop of Salisbury; Geoffrey de Feringes; Master Robert de Cotum
Winchester	Geoffrey de Feringes
Worcester	Dean of Hereford; Master Alexander of Savoy
Welsh dioceses	Abbot of Pershore; later abbot of Flaxley
Province of York	Abbot of Fountains; Master Geoffrey de Forsett'; prior of Finchale

2. Triennial tenth imposed in 1266

a. Local assessors, 1267-70

C.P.R. 1266-72, pp. 185, 186, 193, 247, 268, 311, 312, 326, 352, 356, 373, 379, 404; Prynne, *Records*, II, 1054; *Reg. of W. Giffard*, p. 232; Muniments of Dean and Chapter of Canterbury, *Cartae Antiquae* P 54.

Bath and Wells	Master Thomas de Adderby and Guy de Taunton, king's clerks; Masters Simon de Baliden, Richard de Colingeburn, Guy de Taunton and Roger de Lyuns, king's clerks
Canterbury	Stephen, archdeacon of Canterbury, and John Silvestre; Master Thomas de Gloucestre and Roger de Lyuns; Master Bonettus de Sancto Quintino, king's clerk, and Walter of London, monk of Westminster.
Chichester	Thomas de Adderby and Guy de Taunton; Master Bonacius de Mediolano and Bonettus de Sancto Quintino
Ely	Master Simon de Billidon and Aunfrid, rector of Hockly
Exeter	Thomas de Adderby and Guy de Taunton
Hereford	Thomas de Adderby and Guy de Taunton; Master Thomas de Gloucestre and Roger de Lyuns; William, archdeacon of Hereford
Lichfield	Sir Ralph de Bakepuz, knight, John de Sutton, king's clerk, and Master Ralph de Portu; Simon de Billidon and Aunfrid
Lincoln	Simon de Billidon and Aunfrid
London	Simon de Billidon and Aunfrid; John de Sancto Dionisio and William de Muriden
Norwich	Simon de Billidon and Aunfrid; Master John de Sancto Dionisio and William de Muridon, king's clerks
Rochester	Thomas de Adderby and Guy de Taunton; Thomas de Gloucestre and Roger de Lyuns; Bonettus de Sancto Quintino
Winchester	Thomas de Adderby and Guy de Taunton
Worcester	Thomas de Adderby and Guy de Taunton; William, archdeacon of Hereford; Walter de Burges, Richard de Sutton and Roger de Evesham for benefices and temporalities of Westminster in the diocese

b. Deputy collectors for first year, 1267

C.P.R. 1266-72, pp. 55, 84, 92, 94, 95, 97, 104, 107, 166, 182, 189, 213, 224, 227, 228, 234, 239, 253, 324, 330, 351, 352, 357, 404, 408; Papal Bulls, 43/1-5; Prynne, *Records*, II, 1027, 1035: *Reg. of W. Giffard*, pp. 57, 100; Harl. MS. 645, fol. 221.

Province of Canterbury

Bath and Wells	Edward de la Knolle, dean of Wells, and Master Thomas de Bytton, precenter of Wells
Canterbury	Stephen, archdeacon of Canterbury
Chichester	Walter de Gloucester, dean of Chichester, and Simon, rector of West Tarring; apparently superseded by William, chancellor of Chichester, and Simon, archdeacon of Lewes
Ely	Bishop of Ely, prior of Barnwell and Master Stephen de Witon
Hereford	William, archdeacon of Hereford
Lichfield	Roger, bishop of Lichfield, and prior of Kenilworth
Lincoln, archdeaconries of Lincoln and Stow	Master Roger de Fuldon, archdeacon of Lincoln, and Adam de Bokingfeud, canon of Lincoln; apparently superseded by Master Bohemond de Vitia, dean of Lynn and chaplain of Ottobon, and the prior of St Katherine without Lincoln
Lincoln, other archdeaconries	Prior of St Frideswide, Oxford and Master Robert, archdeacon of Gloucester; superseded by prior of St Andrew, Northampton and master of hospital of St John, Oxford
Llandaff	Abbot of Tintern
Norwich	N., prior of Norwich, and W., prior of St Faith
St Davids	Bishop of St Davids
Salisbury	Master Walter Scamel, archdeacon of Berkshire, and Ralph de Heyham, chancellor of Shrewsbury
Winchester	Gilbert, prior of Merton, and Walter de Briche, called de la Croce

Province of York

Durham	Bishop of Durham, R. de Sancta Agatha, archdeacon of Durham, and John de Hesel', rector of Thwing
York	Master Ruffinus, archdeacon of Cleveland

c. Deputy collectors for the second year, 1268

C.P.R. 1266-72, pp. 174, 191, 192, 202, 212-14, 222, 227, 228, 240, 254, 264, 266, 302, 311, 313, 324, 351, 352, 361, 369, 404; Muniments of Dean and Chapter of Canterbury, Cartae Antiquae P 54; of Durham, Misc. Charter 5141.

Bishop or keepers of bishopric in each diocese and in

Province of Canterbury

Bath and Wells	Dean and chapter
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Canterbury	Walter of London, monk of Westminster, and William de Plumpton, king's clerk
Chichester	Robert de Purle, canon of Chichester, king's clerk, and the dean of Chichester, acting keepers of the see
Exeter	Master Roger, archdeacon of Exeter, and John de Exonia, canon of Exeter
Hereford	William, archdeacon of Hereford
Lincoln	Adam de Greynvile associated with Constantine de Mildenhale
London	Master John de Sancto Dionisio and William de Miriden, parson of Mursley
Norwich	Master John de Sancto Dionisio and William de Meriden; also Masters John de Coleby and Richard de Geselingham deputed by the bishop
Rochester	Walter of London, monk of Westminster, and Bonettus de Sancto Quintino
Winchester	Gilbert, prior of Merton, and Walter de Briche; later prior of St Swithun and abbot of Titchfield
Province of York	Master Henry Sampson, rector of St Andrew, Hertford, queen's clerk, and associates

d. Deputy collectors for the third year, 1269

C.P.R. 1266-72, pp. 174, 253, 264, 265, 302, 308, 318, 325, 330, 334, 340, 352, 355, 356, 362, 363, 367-69, 391, 392; Prynne, *Records*, II, 1054, 1055; *Cockersand Chart.*, I, pt. 2, 287.

The bishops continued to act as collectors.

Province of Canterbury

Bath and Wells	Dean and chapter
Canterbury	Master Bonettus de Sancto Quintino and Walter, monk of Westminster; later Bonettus alone
Chichester	Same as in second year
Hereford	Priors of Wenlock and Leominster
Lincoln	Master William de Lexinton, dean of Lincoln, and associates not named; Roger de Ravelingham, archdeacon of Huntingdon, was probably one
London	Fulk Lovel, archdeacon of Colchester, Master Godfrey de Sancto Dunstano and Ralph de Dunum. The two first were keepers of the bishopric
Norwich	Same as in second year

Rochester	Walter of London, monk of Westminster, and Bonettus de Sancto Quintino; later Bonettus alone
Winchester	Abbot of Chertsey and William, parson of Wallington; Walter de Briche and Guy de Taunton were collectors of arrears
Province of York	Masters Henry de Brandeston and Henry Sampson; in this year or another Bonettus de Sancto Quintino was associated with Henry Sampson
e. Collectors of arrears after 1269 other than deputies previously mentioned <i>C.P.R.</i> 1266–72, pp. 427, 428, 432; 1272–81, p. 11; Muniments of Dean and Chapter of Durham, Misc. Charters 5102, 5108.	
Province of Canterbury	
Chichester	William, chancellor of Chichester, and Ralph de Botiller, king's clerk (1270), arrears of first year
Ely	Master Alan de Rokelund, official of Ely, and Nicholas de Ware, clerk of bishop of Ely (1270)
Lincoln	Dean of Lincoln and Master John le Fleming (1270); Henry de Braye, king's clerk (1273)
Province of York	Bonettus de Sancto Quintino and William de Rotherfeld

3. Deputy collectors of sexennial tenth imposed in 1274

Muniments of Dean and Chapter of Canterbury, *Cartae Antiquae* C 223; Thorn, *Chronica*, p. 1926; below, pp. 647–65; *Ancient Corres.*, xvii, 85; Harl. MS. 1708, fol. 215; *Reg. of Cantilupo*, p. 291; *Ann. de Dunstaplia*, pp. 264–66; L.T.R. Enrolled Accounts, Wardrobe no. 2, m. 1; Roman Transcripts, General Series, 59; Muniments of Dean and Chapter of Rochester, B 15; of Durham, Misc. Charters 4187, 4248, 4260, 4261, 4272, 4830; of Ely, Misc. Charter, Chapman nos. 110a–m; *Reg. of Peckham*, i, 293–97; *Reg. of G. Giffard*, ii, 80; Lunt, *Valuation of Norwich*, p. 620.

Province of Canterbury

Canterbury	William de Middleton, archdeacon of Canterbury, and Thomas de Lindestede (1275–76); William de Wilmington, prior of St Augustine, Canterbury, and John de Belham, monk of same (1276–80, 1283)
Chichester	Robert de Purle and a colleague; Robert de Purle (1283)
Ely	J. de Lacy, official of bishop of Ely, and Thomas de Wymbisse, rector of Stretham

Exeter	John of Exeter, treasurer of Exeter, and William de Capella, preceptor of Crediton (1276–81 and possibly earlier); Henry, archdeacon of Totnes (1281)
Hereford	Treasurer of Hereford and a colleague (first year); Master Henry de Havekeleye and Luke de Bree (1279); Master Robert de Glovernia, canon of Hereford, formerly official of Hereford (1283)
Lichfield	John de Craverie, canon of Lichfield, and prior of St Thomas, Stafford
Lincoln	Reyner, prior of Beaulieu, and prior of Caldwell (first year); Thomas de Hyngestorp (Inglethorp), later dean of London and prior of St Frideswide (before and in 1283); Abbot of Osney (1281–82); Simon de Worth, canon of Lincoln (1283)
London	Warinus, treasurer of New Temple (first two years); Fulk Lovel and John Soudam (<i>alias</i> Soldam) (last four years)
Rochester	Thomas de Strodes and a colleague (first year); John de Strodes (deceased before 1283), Richard, Walter, dean of Rochester (before 1283); prior of Rochester (1283)
Salisbury	The treasurer [Walter Scamel] and the succentor of Salisbury (first year); Simon de Micham, chancellor, and Robert, vicar of Sturminster (last five years)
Winchester	Precentor of St Swithun (1283)
Worcester	Priors of St Peter ¹ and St Oswald, Gloucester (first year); prior of St Oswald, Gloucester, and John de Strodes, canon of Shrewsbury (1276)
Province of York	
Durham	Master William de Herdebir, archdeacon of Northumberland; H. de la Wodehalle, rector of Ovingham, and Thomas de Birland, rector of Brantingham (1280); Masters Thomas de Heddon, canon of York, and Simon, dean of Christianity of York (1283)
York	W. de Hearedebir' and W. de Rotherfeld (1275); R., archdeacon of Cleveland, and R., master of hospital of St Peter, York (1278–80); William Wickwane, archbishop of York (1279); Thomas and Simon as under Durham (1283)

¹ Henry Helyun, chamberlain of St Peter according to Harl. MS. 1708, fol. 215.

4. Sexennial tenth imposed in 1291

a. Local assessors

Reg. of St Augustine's, Canterbury, I, 317; *Liber de Bernewelle*, p. 200; Clerical Subsidy, 63/3, m. 3; 68/31; *Taxatio*, pp. 30, 43, 241, 305, 314, 318, 325; Cotton MSS. Vesp. E XIX, fols. 63–64; Faust. A IV, fol. 22^v; Bodleian Library, MS. Laud. 642, fol. 37; Cambridge University Library, MS. E e III 60, fol. 193; Harl. MSS. 662, fol. 121^v; 3763, fol. 165; College of Arms, Arundel MS. 30, fols. 180^v–184^v; John de Oxenedes, *Chron.*, p. 284; *Reg. Roffense*, p. 89; *Reg. of Pontissara*, I, 197; *Documents relating to Penwortham*, pp. 13, 14; *Coucher Book of Furness*, III, 636; *Reg. Honoris de Richmond*, app. p. 65.

Province of Canterbury

Canterbury	Robert Poule and Robert Hwitstanton (temporalities)
Ely	Master Guy de Covintre, official of bishop of Ely, and Ralph de Foderingeye, archdeacon of Ely (spiritualities); Master Richard de Sancta Firdeswida and Master Robert Luterel (temporalities)
Hereford	Master John de Chandos and Simon de Buterleye (spiritualities)
Lichfield	Thomas de Staundon and Roger called Bacun (spiritualities)
Lincoln, archdeaconries of Oxford, Buckingham, Bedford, Huntingdon and Northampton except deanery of Rutland	Ralph de Bokingham, rector of Maids Moreton, and Richard de Appeltre, rector of Yelling (spiritualities); Master John de Walecote, rector of Walcot, in diocese of Norwich, and William de Steynton, rector of Foston in diocese of York (temporalities)
Remainder of diocese	Masters John de Fletburg' and William de Kelum (spiritualities); John de Walcote and William de Stenton, and also John de Fletburg' and Robert Luterel (temporalities)
London	Masters Richard de Sancta Frediswida and Robert de Luterel (temporalities)
Norwich	Richard, rector of Snailwell, and Richard, rector of Sutton (spiritualities in archdeaconries of Suffolk and Sudbury); masters Richard de Sancta Fredeswyda, archdeacon of Buckingham, and Robert Luterel, canon of Salisbury
Rochester	Robert de Purle, treasurer of Chichester (temporalities)
Winchester	R., dean of St Paul's, and Master W., archdeacon of Wells

Worcester	Master Richard Vyenna (Uxenna) and Walter, son of Warr' (temporalities)
Province of York	
Carlisle	Richard de Wyteby, archdeacon of Carlisle, and Adam de Levington, rector of Skelton (spiritualities)
Durham	Master Peter de Insula, archdeacon of Exeter, and Adam de Aston', rector of Beckingham (temporalities)
York	William de Pykeryng, archdeacon of Nottingham, and Simon, rector of Wheldrake (spiritualities)

b. Deputy collectors

E.H.R., xxxi, 106, n. 48; Chanc. Misc. 19/2, no. 26; *Liber de Bernewelle*, p. 208; *Ann. de Oseneia*, p. 332; *Pinchbeck Reg.*, i, 449; Bodleian Library, MS. Rawl. D. 763, fol. 4^v; *Two Charts of Bath*, p. 89; Muniments of Dean and Chapter of Salisbury, iv, A 1; Worcester Diocesan Registry, Reg. of Giffard, fols. 369, 372; *Northern Regs.*, p. 151.

Province of Canterbury

Bangor	Bishop and chapter
Bath and Wells	Abbot and convent of Glastonbury; prior of Glastonbury
Canterbury	Abbot and convent of St Augustine, Canterbury
Chichester	Dean and chapter
Ely	Prior and convent of Barnwell, exercised by deputy, Robert de Hoketone, sacrist (temporalities); prior and convent of Ely (spiritualities)
Exeter	Dean and chapter
Hereford, archdeaconry of Hereford	Abbot and convent of Reading
Archdeaconry of Salop	Abbot and convent of Wigmore
Lichfield, archdeaconries of Derby, Chester and Salop	Abbot and convent of Burton
Archdeaconries of Coventry and Lichfield	Prior and convent of Kenilworth
Lincoln, archdeaconries of Oxford, Buckingham, Bedford, Huntingdon and	Abbot and convent of Osney

Northampton except deanery of Rutland	
Lincoln, remainder of diocese	Prior of St Katherine without Lincoln
Llandaff	Abbot and convent of Margam
London	Abbot of Waltham
Norwich, archdeacons of Norwich and Norfolk	Prior and convent of Wymondham, superseded in fourth year by prior and convent of Norwich
Archdeacons of Suffolk and Sudbury	Prior and convent of Bury St Edmunds
Rochester	Prior and convent of Rochester
St Asaph	Abbot and convent of Basingwerk, superseded by abbot and convent of Aberconway in fourth year
St Davids	Prior and convent of Llantony Prima and prior and convent of Carmarthen
Salisbury, archdeacons of Berks and Wilts	Abbot and convent of Reading
Archdeacons of Salisbury and Dorset	Abbot and convent of Sherborne
Winchester, archdeaconry of Winchester	Abbot and convent of Hyde
Archdeaconry of Surrey	Abbot and convent of Chertsey
Worcester	Abbot and convent of Gloucester
Province of York	
Carlisle	Prior and convent of Carlisle
Durham	Prior and convent of Durham
York	Abbot and convent of St Mary York; abbot and convent of Thurgarton; abbot and convent of Nostell; abbot and convent of Furness

5. Deputy collectors of triennial tenth imposed in 1301

Prynne, *Records*, III, 1033–35; Exch. K.R. Accounts, 360/23, fol. 4; 365/6, fols. 1^v, 23, 33, 33^v; 368/7, fol. 3; Muniments of Dean and Chapter of Canterbury, Reg. I, fol. 231^v; Exch. K.R. Ecclesiastical Documents, 10/2, m. 1; *Reg. of Gandavo*, I, 37; *Liber Albus of Worcester*, p. 3, no. 25; *Northern Regs.*, p. 161.

Province of Canterbury

Bangor	Dean and chapter
Bath and Wells	Abbot of Glastonbury

Canterbury	Abbot of Faversham and prior of St Gregory, Canterbury
Chichester	Chapter of Chichester
Ely	Prior and convent of Ely and prior of Barnwell
Exeter	Prior of St Nicholas, Exeter, prior of Launceston and prior and convent of Tregony
Hereford	Dean and chapter and abbot of Wigmore
Lichfield	Abbot of Burton and prior of Kenilworth
Lincoln	Prior and convent of St Katherine without Lincoln and abbot of Osney
Llandaff	Abbot of Margam
London	Prior and convent of Westminster, abbot of Colchester and abbot of Waltham
Norwich	Abbots of Langley and Bury St Edmunds
Rochester	Prior of Rochester
St Asaph	Abbot of Valle Crucis
St Davids	Prior of Llantony Prima and abbot and convent of Carmarthen
Salisbury	Abbot and convent of Sherborne and abbot and convent of Reading
Winchester	Abbot and convent of Hyde and abbot of Chertsey
Worcester	Abbot and convent of St Peter, Gloucester
Province of York	
Carlisle	Prior and convent of Carlisle
Durham	Prior of Holy Island and abbot of Newminster
York	Abbot of Selby, abbot of Cockersand, abbot and convent of St Mary, York, abbot of Furness and prior of Thurgarton

6. Deputy collectors of the biennial tenth imposed in 1305

L.T.R. Enrolled Accounts, Subsidies and Aids 3, m. 1.

Province of Canterbury

Bangor	Bishop and chapter
Bath and Wells	Abbot of Glastonbury
Canterbury	Abbot and convent of Faversham
Chichester	Abbot and convent of Battle
Ely	Priors and convents of Barnwell and Ely
Exeter	Priors and convents of Exeter and Launceston
Hereford	Dean and chapter and abbot and convent of Wigmore

Lichfield	Prior and convent of Kenilworth and abbot and convent of Burton
Lincoln	Abbot and convent of Osney and prior and convent of St Katherine without Lincoln
Llandaff	Abbot and convent of Margam
London	Abbots and convents of Colchester and Westminster
Norwich	Abbot and prior of Bury St Edmunds and abbot and convent of Langley
Rochester	Prior and convent of Rochester
St Asaph	Abbot and convent of Valle Crucis
St Davids	Priors of Llantony Prima and Carmarthen
Salisbury	Abbots and convents of Sherborne and Reading
Winchester	Abbots of Hyde and Chertsey
Worcester	Abbot and convent of St Peter, Gloucester
Province of York	
Carlisle	Prior of St Mary, Carlisle
Durham	Abbot of Newminster
York	Prior of Thurgarton and abbots of Selby and St Mary, York

7. Deputy collectors of the triennial tenth imposed in 1309

C.C.R. 1307-13, p. 227; *L.T.R. Enrolled Accounts, Subsidies and Aids 3*, m. 1v.

The deputies were the same as for the preceding biennial tenth with the following exceptions:

Llandaff	Abbot and convent of Tintern
London	Prior and convent of Holy Trinity, London and abbot of Colchester
St Davids	Bishop and chapter of St Davids and prior and convent of Carmarthen

8. Deputy collectors of the annual tenth imposed in 1312

They were the same as the deputy collectors of the preceding triennial tenth: *L.T.R. Enrolled Accounts, Subsidies and Aids 3*, m. 2.

9. Deputy collectors of the sexennial tenth imposed in 1312

H.M.C., Cal. of MSS. of Dean and Chapter of Wells, II, 588; *Wilkins, Concilia*, II, 433, 452; *Reg. of Stapeldon*, p. 128; *Muniments of Dean and Chapter of Exeter*, 2191; *Reg. of Orelton*, pp. 53, 54; *Lincoln Diocesan Registry, Reg. of Dalderby*, fols. 245, 245v; *C.P.R. 1313-17*, pp. 188, 197; *1317-21*, pp. 502, 509, 510; *Muniments of Dean and Chapter of Westminster*, 18/5766, 5772; of *Norwich*, uncata-

logged document; *Reg. of Gandavo*, p. 530; *Regs. of Sandale and Asserio*, pp. 50, 51; *Worcester Sede Vacante Reg.*, pp. 173–76; *Reg. of Reynolds*, pp. 70, 71; *C.C.R. 1313–18*, p. 110; *Reg. Dunelmense*, I, 441; *Chapter Act Book of Beverley*, I, 324.

Province of Canterbury

Bath and Wells	Dean and chapter of Wells
Canterbury	Prior and convent of St Gregory, Canterbury
Exeter	Dean and chapter of Exeter
Hereford	Dean and chapter of Hereford and abbot and convent of Wigmore
Lincoln	Abbot and convent of Osney and prior and convent of St Katherine without Lincoln
Llandaff	Abbot of Margam
London	Prior of Holy Trinity, London and abbot of St John, Colchester
Norwich	Prior and convent of Norwich, prior of Holy Trinity, Ipswich and prior and convent of Bury St Edmunds
Salisbury	Abbots and convents of Abingdon and Sherborne
Winchester	Abbots and convents of Hyde and Chertsey
Worcester	Prior and convent of Worcester and abbot and convent of Cirencester

Province of York

Carlisle	Prior of Carlisle
Durham	Prior and convent of Durham
York	Abbot of St Mary, York, abbot and convent of Selby, and prior and convent of Thurgarton

10. Deputy collectors of the annual tenth imposed in 1317

C.P.R. 1317–21, p. 191; *Reg. of Drokenesford*, p. 24; L.T.R. Enrolled Accounts, Subsidies and Aids 3, m. 11; Hailstone, 'History of Bottisham,' Cambridge Antiquarian Soc., *Octavo Pubs.*, xiv, 252; Muniments of Dean and Chapter of Norwich, Reg. Nonum, nos. 112–34; Bodleian Library, Christchurch Archives, O, 1117; Muniments of Dean and Chapter of Westminster, 18/5771; of Worcester, Liber Albus, fol. 88v; *Rot. Orig. Abbrev.*, I, 248; Chanc. Misc. 18/9, no. 3; *C.C.R. 1313–18*, p. 556; *Cockersand Chart.*, III, pt. 3, 1105; Clerical Subsidy, 67/9, no. 40(1).

Province of Canterbury

Bangor	The bishop
Bath and Wells	Abbot and convent of Glastonbury
Hereford	Dean and chapter

Lichfield	Prior of Kenilworth and prior and convent of Burton
Lincoln	Abbot and convent of Osney and prior and convent of St Katherine without Lincoln
Llandaff	Prior and convent of Tintern
London	Richard le Hertfordingbury, canon of Waltham, in archdeaconries of London and Middlesex
Norwich	Prior and convent of Norwich
St Davids	Prior and convent of Llantony near Gloucester
Salisbury	Abbot and convent of Reading
Winchester	Prior and convent of Merton
Worcester	Prior and convent of Worcester

Province of York

Carlisle	Prior and convent of Carlisle
Durham	Prior and convent of Durham
York	Abbot and convent of St Mary, York, abbot of Cockersand, abbot of Selby and prior of Thurgarton

11. Deputy collectors of the annual tenth imposed upon the clergy of the province of Canterbury in 1319

Lambeth Palace Library, Reg. of Reynolds, fol. 226^v.

Bangor	Dean and chapter
Bath and Wells	Abbot and convent of Glastonbury
Canterbury	Abbot and convent of St Augustine, Canterbury
Chichester	Abbot and convent of Battle
Ely	Prior and convent of Ely
Exeter	Prior and convent of Plympton
Hereford	Abbot and convent of Wigmore
Lichfield	Abbot and convent of Burton and prior and chapter of Coventry
Lincoln	Abbot and convent of Eynsham and prior and convent of St Katherine without Lincoln
Llandaff	Abbot and convent of Tintern
London	Abbot and convent of Stratford
Norwich	Abbot and convent of Bury St Edmunds and prior and convent of Norwich
Rochester	Prior and convent of Rochester
St Asaph	Dean and chapter of St Asaph
St Davids	Prior and convent of Llantony Prima

Salisbury	Abbot and convent of Reading
Winchester	Abbot and convent of Waverley
Worcester	Abbot and convent of Evesham

12. Deputy collectors of the annual tenth imposed on 18 December 1319
K.R. Memo. Roll, 13 Edward II, m. 99^v.

Province of Canterbury

Bangor	Dean and chapter
Bath and Wells	Abbot and convent of Glastonbury
Canterbury	Abbot of St Augustine, Canterbury
Chichester	Abbot and convent of Battle
Ely	Prior and convent of Ely
Exeter	Prior and convent of Plympton
Hereford	Prior and convent of Wigmore
Lichfield	Dean and chapter of Lichfield and prior and convent of Coventry
Lincoln	Abbot and convent of Eynsham and prior and convent of St Katherine without Lincoln
Llandaff	Prior and convent of Tintern
London	Abbot and convent of Walden and prior and convent of Westminster
Norwich	Prior and convent of Norwich and abbot and convent of Bury St Edmunds
Rochester	Prior and convent of Rochester
St Asaph	Abbot and convent of Valle Crucis
St Davids	Prior and convent of Carmarthen
Salisbury	Abbots and convents of Abingdon and Middleton
Winchester	Prior and convent of St Swithin and abbot and convent of Chertsey
Worcester	Abbot and convent of St Peter, Gloucester and prior and convent of Great Malvern

Province of York

Carlisle	Prior and convent of Carlisle
Durham	Prior and convent of Durham
York	Abbot and convent of St Mary, York

13. Deputy collectors of the biennial tenth imposed in 1322

They were the same as for the preceding tenth, except for the substitution of the abbot and convent of Muchelney for the abbot and convent of Glastonbury in the diocese of Bath and Wells. The abbot of Glastonbury had died during the interval: K.R. Memo. Roll, 16 Edward II, m. 72.

APPENDIX IV

OPINION OF PETER GRIPHUS, COLLECTOR IN ENGLAND DURING THE PONTIFICATE OF JULIUS II, WITH REGARD TO THE FAILURE OF PAYMENT OF CENSUS CAUSING LOSS OF PRIVILEGE

MS. Ottoboniano Latino 2948, fols. 10, 10^v

Census et pensio equivoci videantur illisque promiscue iura utantur, ut in capitulo constitutus 'De religiosis domibus' ibique per glo. et doctores. Attamen quantum ad rem nostram attinet he voces diversum habent sensum. Desistens enim per biennium vel triennium a census solutione concessum sibi ius vel privilegium non amittit, sed oportuno remedio ad solutionem compellitur. Ac cessans a pensionis debite prestatione ab indulto sibi iure decidere videtur, ut asserunt scribentes in dicto capitulo constitutus. Et eapropter in privilegiis plene exemptionis, ut plurimum de pensione fit mentio, a cuius solutione si exemptus constitutis temporibus defecerit, ab obtento iure excidisse arbitrabitur iuxta tamen vim ac verba privilegii. Verum, in indulto simplicis protectionis non de pensione agitur sed de censu quo etiam non soluto censualis ius sibi concessum nihilominus retinebit. Que autem sunt ea privilegiorum verba quibus plena exemptio quibusve simplex dumtaxat protectio induci censeatur declarat Bonifatius VIII in decretali 'Si papa' de privilegiis libro vi. (The reference is to Sexto, lib. v, tit. vii, cap. x).

APPENDIX V

THE CENSUS PAID BY ENGLISH MONASTERIES AND CHURCHES

<i>Payer</i>	<i>Date of establishment of payment</i>	<i>Amount of annual payment</i>	<i>Equivalent as calculated by papal collectors</i>		
			£	s.	d.
Anglesey	1192-1236?	1 melechinum		2	
Bodmin	1203	1 melechinum		2	
Bury St Edmunds	1236-1282?	1 mark sterling		13	4
Carlisle	1201	1 silver mark		13	4
Chacombe	1192-1236	1 obolum massemutinum		1	3
Chertsey	1176	4 aureos		8	
Faversham	1147-1153	1 silver mark		13	4
Laund	1154-1159	2 bezants		4	
London, St Mary without Aldgate	1295	1 lb. of wax			6
Malmesbury	1142	1 ounce of gold		13	4
Great Malvern	1236-1282?	1 gold mark	5	6	8 ¹
Royston	1192	3 aureos		6 ²	
St Albans	1143-1144	1 ounce of gold		13	4
St Augustine's	1300	1 mark sterling		13	4
Scarborough	1229	1 obolum massemutinum		1	3
Tavistock	1193	3 aureos		6 ²	
Tonbridge	1192	1 ounce of gold		13	4
Total			11	11	0
Total without Great Malvern			6	4	4

¹ The equivalent has been estimated, because Great Malvern appears in no extant collectors' reports. The collectors accepted one mark sterling for an ounce of gold, and there were eight ounces of gold in a mark. The gold mark has been calculated, therefore, at eight silver marks.

² Not found in a collector's report; based on the rate given to Chertsey.

APPENDIX VI

A STATEMENT OF THE DEPOSITS WITH ITALIAN FIRMS OF THE PROCEEDS ARISING IN ENGLAND FROM THE SEXENNIAL TENTH IMPOSED BY THE COUNCIL OF LYONS IN 1274, AS THEY STOOD IN 1283

Collectorie 14, fols. 1-21^{v1}

[fol. 1]² Registrum in quo continentur n<o>mina³ societatum habentium in deposito de pecunia decime regni Anglie et quantitates depositorum.

[fol. 1^v] blank.

[fol. 2] <Ricardi>⁴

In nomine <dei amen>⁵ Isti sunt <denarii>⁶ quos < et >⁷ alii eorum socii de societate Ricardorum de Luca receperunt de pecunia <decime c>ollecta⁶ in regno Anglie.

In primis de voluntate magistri Raymundi et fratris Johannis ab abbate de Waltham xxii li. ii s. vi d.

Item, ab abbate de Lesnes de voluntate predictorum magistri R. et fratris J. xvii li. vii s. viii d.

Item, ab episcopo Batoniensi cxxxiii li. vi s. viii d.

Item, ab episcopo Roffensi xxx li. xiii s. x. d.

Item, ab episcopo Roffensi v li. vi s. viii d.

Item, ab episcopo Wintoniensi cccxxxiii li. vi s. viii d.

Item, ab abbate de Faversham xxvii li. ii s.

Item, a priore Lewensi lxvii li. vi s. iii d.

Item, a priore de Wallock xxvi li. xiii s. iiii d.

Item, ab episcopo Herefordensi lxxii li. ix s. iiii d.

Item, ab executoribus domini Dunelmensis lx li. xii s. ii d. ob.

Item, a collectoribus Wigorniensibus per manus Gedinii cccxxxvi li.

Item, a collectoribus Herefordensibus quos recepit Gedinus clx li.

Item, a collectoribus Dunelmensibus quos recepit Thomasius vi^e li.

Item, a collectoribus Eboracensibus recepit Bertholotus viii^e lxvi li. xiii s. iiii d.

Item, a collectoribus Karleolensibus quos recepit Thomasius cclxxiii li. xii s. ob.

Item, ab abbate de Faversham Cantuariensis diocesis pro secundo anno xxvii li. ii s.

¹ These folios, before they were bound in Volume 14, constituted a separate volume which was at one time numbered 1007.

² Originally the cover of the codex.

³ Letter lost by a tear in the MS.

⁴ Caption lost by a tear.

⁵ Rendered illegible by a rub in the MS.

⁶ Conjectural on account of rubbing.

⁷ One or two words illegible.

Item, a priore Wintoniensi quos receperunt Lucas et Raynerius lxx li.

Item, a collectoribus decime de Oxonia per manum Gerardini socii dicte societatis v^o x li.

Item, ab eisdem collectoribus Oxonie lxxxx li.

Item, a collectoribus Norwicensibus quos recepit Lucas m li.

Item, a collectoribus de Sancto Edmundo quos recepit dictus Lucas vi^o lxxiii li. xiii s. iiii d.

[fol. 2^v] Ricar <di>

Item, ab abbate Sancti Edmundi < >¹

Item, a priore et conventu Sancti Edmundi lxxxxiii li. xiii s. vii d.²

Item, ab abbate et conventu de Glovernia cxx li.

Item, ab archiepiscopo Cantuariensi ccxxxiii li. vi s. viii d.

Item, ab abbate et conventu Cestrie lii li. xv d.

Item, a domino Henrico de Grandisono xiii li. vi s. viii d.

Item, a collectoribus Oxonie ccxl li.

Item, a Stephano de Cornella pro magistro Gilberto et priore de Bello Loco xl li.

Summa omnium predictarum particularum est vi^mv^oxcvi li. v s. viii d.

De qua supradicta summa socii predicte societatis reddiderunt m v^o lxxxxvi li. v s. viii d. domino Gerardo de Grandisono, episcopo Virdunensi, magistro Raymundo et fratri Johanni de Derlington', collectoribus dicte decime, apud Templum, die xx Octobris anni domini m^l ducenti septuagesimi sexti

Et remanserunt penes socios dicte societatis facto computo predicto die cum predictis episcopo, magistro Raymundo et fratre Johanne v^m li.

Et habuerunt dicti collectores litteram apertam super hoc sigillatam sigillis dicte societatis et dicti Lukese et Raynerii et Orlandini et Bertoloti. Et omnia supradicta inventa sunt <in regi> stro³ quod residebat penes dictum fratrem Johannem, archiepiscopum Dublinensem, scripta manu sociorum dicte societatis. Et etiam dicti remanentis summa scripta fuit in libro quem magister Arditio, primicerius Mediolanensis domini pape capellanus, postquam venit in Angliam pro collectione decime fieri fecit et scribi manibus mercatorum.

Item, post predicti remanentis summam, receperunt socii predicte [fol. 3] societatis ab abbate Sancti Albani cel li.

Item, a priore Lewensi cxxxi li. xvii s. vi d. ob.

Item, a dicto priore de Lewes lxvi li. xiii s. iiii d.

Item, ab archiepiscopo Cantuariensi cxxxiii li. vi s. viii d.

Item, a capitulo Sancti Pauli Londoniensis cxxx li.

Summa predictarum quinque particularum et remanentis supradicti quinque milium librarum est v^m vii^o xi li. xvii s. vi d. ob.

¹ A rubbed MS. renders amount illegible.

² The amount may be lxxxxiii li. xiii s. vii d.

³ Reading conjectural on account of a stain in MS.

De qua summa reddiderunt socii predictæ societatis magistro Arditiōni et fratri Johanni predictis iiii^m vi^o xxxvii li. iiii s. v d. ob. Quos dicti magister Arditiō et frater Johannes deposuerunt in thesauraria Novi Templi Londoniensis, sicut continetur in instrumento publico facto manu Petri de Walecimaria Cameriniensis diocesis, publici notarii.

Item, soluerunt de mandato et voluntate predictorum magistri Arditiōnis et fratris Johannis Claro de Sagina, civi Florentino, nuntio et familiari domini Symonis cardinalis, pro octava parte medietatis decime primi anni regni Angliæ que debuit de mandato apostolico assignari societati Clarentis de Pistorio mcccexi m. xiii s. i d. De quibus predicti magister Arditiō et frater Johannes acquietaverunt socios dicte societatis sicut per instrumentum dicti Petri de Walecimaria apparet.

Item, retinuerunt socii predictæ societatis de predicta summa de voluntate et consensu predictorum magistri Arditiōnis et fratris Johannis cc m. Quas, ut supra continetur, a domino episcopo Batoniensi se recognoverant recepisse, quia recognoverant eas se recepisse seu promiserant pro dicto episcopo Batoniensi, quum fuit electus in episcopatum, ad eius instantiam, si aliquis defectus fuisset in solutione decime beneficiorum suorum, et postmodum tum per quietantias solutionum factarum collectoribus diversis constitutis in certis episcopatibus Angliæ, tum per solutionem [fol. 3^v]¹ quinquaginta septem librarum sexdecim solidorum et quatuor denariorum factam collectoribus Londonie repertum fuit quod soluta erat decima de beneficiis dicti episcopi pro primo anno decime quo ipsam tenuit.

Summa reddituum a sociis dicte societatis et solutorum Claro Sagine et rectorum seu detractorum de summa receptorum pro domino episcopo Batoniensi est v^m vii^o xi li. xvii s. vi d. ob. Et sic nichil debent socii predictæ societatis de omnibus particularis supradictis quas receperant ante adventum magistri Arditiōnis in Angliam.

Isti sunt denarii quos socii predictæ societatis Ricardorum de Luca receperunt de dicta decima post adventum predicti magistri Arditiōnis in Angliam.

In primis a collectoribus Wintoniensibus quos recepit Abbate, socius dicte societatis, mm li.

Item, a collectoribus Cicestrensibus quos recepit idem Abbate cccclxvi li. xiii s. iiii d.

Item, a collectoribus Sarrisberiensibus quos recepit Orlandinus de Podio, socius dicte societatis, mccccl li.

Item, a collectoribus Vigorniensibus quos recepit idem Orlandinus vii^o lx li.

Item, a collectoribus Herefordensibus quos recepit predictus Orlandinus cc li.

Item, a collectoribus Norwycensibus quos recepit Bartolomeus² Walteri socius dicte societatis mcccxx li.

Item, ab abbate et conventu de Waltham quos recepit Raynerius Magiarii eiusdem societatis socius cccclxxvi li. iiii s. vi d.

¹ The caption *Ricardi* appears at the head of the folio.

² Extension doubtful.

Item, a priore et conventu Sancti Suwytini de Wintonia in duabus vicibus cccciii li. vi s. viii d.

Item, a collectoribus Lichefeldensibus m v^o xliii li. vi s. viii d.

Item, a collectoribus Wellensibus cccxliii li. xiii s. vii d.

Item, a collectoribus Eboracensibus quas habuit Henricus de Podio, socius dicte societatis m vi^o li.

[fol. 4] Item, a magistro Gifredo de Vezano quos habuit dictus Henricus iii li.

Item, a collectoribus Karleolensibus quas recepit Matheus Rosempel eiusdem societatis socius vii^o lxxxii li. xvii s. ii d.

Item, a collectoribus Wintoniensibus quos recepit supradictus Abbate vi^o lxvi li. xiii s. iii d.

Summa omnium predictarum particularum est xi^m viiii^o xxxv li. xiiii s. iii d. bonorum et legalium sterlingorum, facto compoto xvi die Martii anno domini millesimo ducento septuagesimo octavo.

Item, receperunt socii dicte societatis post dictum compotum a magistro Arditione et fratre Johanne de denariis decime qui erant in deposito in thesauraria Novi Templi Londoniensis mcccclv m. xi s. i d. ob.

Item, a collectoribus Vigorniensibus v^o xliiii m. ii s. ii d. ob.

Item, a priore et conventu de Ledes xl m.

Item, a domino Johanne de Kerkeby lxvi li. xiii s. iii d.

Item ab abbate et conventu Glastonie viii^o unam li. et xx d.

Summa supradictarum quinque particularum receptarum post aliam summam suprascriptam est mmccxxvii li. xv s.

Summa predictarum duarum summarum est xiiii^m clxiii li. ix s. iii d. De quibus quatuordecim milibus centum sexaginta tribus libris novem solidis et tribus denariis Johannes Symoneti et Ricardus Guiditionis, socii dicte societatis, pro se et eorum sociis reddiderunt prefatis fratri Johanni, archiepiscopo Dublinensi, et magistro Arditioni, primicerio Mediolanensi, domini pape capellano, collectoribus dicte decime in regno Anglie deputatis, iii^m clxiii li. ix s. iii d. sterlingorum novorum in festo beati Andree apostoli currente anno domini m^o cc^o octoginta. Quos denarios redditos idem archiepiscopus et magister Arditio deposuerunt in thesauraria Novi Templi Londoniensis. Et sic remanserunt penes socios dicte societatis de omnibus supradictis denariis tantummodo in deposito x^m li. bonorum sterlingorum.

[fol. 4^v]¹ Item receperunt socii dicte societatis a magistro Adam de Fileby pro decima Sancti Martini Magni Londoniensis ab ipso collecta li li. xvi s. xi d.

Item, a magistro Gifredo de Vezano pro parte decime prebende quam habet dominus Manfredus de Palestellis in ipsa ecclesia Sancti Martini xlvi s. viii d.

Item, a priore de Cokesford et conventu eiusdem loci quos recepit Thomasinus Guiditionis lv li. ii s.

¹ The caption *Ricardi* appears at the head of the folio.

Item, a domino episcopo Vigorniensis quos solvit pro bone memorie domino Waltero, episcopo Eboracensi cc li.

Summa predictarum quatuor particularum receptarum post supradictum residuum decem milium librarum cccviii li. v s. vii d.

Summa suprascripti residui et summe proximo suprascripte est, facto diligenti compoto cum predictis fratre Johanne, archiepiscopo Dublinensi, et magistro Ardizione in vigilia Sancti Thome apostoli anno domini millesimo ducento octoginta primo, x^m cccix li. v s. vii d. Que summa, scilicet decem milium trecentarum novem librarum quinque solidorum et septem denariorum, continetur in compoto decime que dicti frater Johannes et magister Ardizio, collectores ipsius decime, ad sedem apostolicam per Philippum de Comite transmiserunt.

Item, socii predictae societatis Ricardorum receperunt a domino Thoma, episcopo Herefordensi, pro decima de tempore predecessoris sui, Johannis cxi m.

Item, a domino Galfredo de Neubaldo, rectore ecclesiarum de Beston' et de Boby Lincolnensis diocesis xxiii li. xvi s.

Item, a domino Waltero, rectore ecclesie de Eord Roffensis diocesis xxiiii m.

Item, a domino Alano, rector ecclesie de Sobeteya Lincolnensis diocesis xx li.

Item, a domino Oddone, rectore ecclesie de Welston Wyntoniensis diocesis v li. iiii s. iiii d.

Item, a domino Roberto de Literberi, rectore ecclesie de Lee Lincolnensis diocesis v li.

[fol. 5] Item, a domino Radulpho de Hyngham pro prebenda ecclesie Sancte Marie de Waruwyk Wygorniensis diocesis iii li.

Item a dicto domino Radulpho, rectore ecclesie de Nova Radanora Herefordensis diocesis pro dicta ecclesia iiii li.

Item, a domino Johanne de Ovedona pro prebenda sua de Bruges apud Welt' Herefordensis diocesis xiii s. iiii d.

Item, a domino Thoma de Gonays pro prebenda sua de Aukeland Dunelmensis diocesis xvi s.

Item, a domino Johanne de Kerkiby pro ecclesiis suis de Abindon', de Wodeford, de Waradon' et de Warketon' archidiaconatus Norhamptonie Lincolnensis diocesis et de Henigfeld et de Alta Aungre Londoniensis diocesis et Yngoldeby et de Rokeland et de Gedenee archidiaconatus Lincolnensis et de Braford et de Layefeld et de Weston' Norwicensis diocesis xlv li. xiiii s. vi d.

Item, a Thoma de Halth, rectore ecclesie de Laleford Londoniensis v li.

Item, a domino Johanne de Castello, rectore ecclesie de Linlee Lincolnensis diocesis vi li. viii s.

Item, a domino Waltero de Cant', rectore ecclesie de Matesale Norwicensis diocesis xii li.

Item, a dicto domino Waltero, rectore ecclesie de Stanton' Dru Bathoniensis diocesis v li. i s.

Item, a domino Galfrido de Haspal, rectore ecclesie de Stanton' cum capella Lincolnensis diocesis xi li. viii s.

Item, a dicto domino Galfrido de Haspal pro prebenda que habet in ecclesia Wellensi xxxii s.

Item, a domino Radulpho de Hyngham, rectore de Wethelingesete Norwicensis diocesis xiii s. iiii d.

Item, a magistro Willelmo de Coton', rectore ecclesie de Langham Londoniensis diocesis v li. iiii s. iiii d.

Item, a magistro Willelmo de Luda, rectore ecclesie de Germertorph Lincolnensis diocesis viii li.

[fol. 5^v]¹ Item, ab eodem magistro Willelmo, rectore ecclesie de Grinesby Lincolnensis diocesis iiii li.

Item, a magistro Thoma de Luda, rectore ecclesie de Timelby Lincolnensis diocesis v li. iiii s.

Item, a dicto magistro Thoma, rectore ecclesie de Hungham Lincolnensis diocesis xxxii s.

Item, a domino Radulpho de Hengham, rectore ecclesie de Copeton' Mardak Coventrensis et Lichefeldensis diocesis v li. vi s. viii d.

Item, a dicto domino Radulpho pro ecclesia de Scurthorp Norwycensis diocesis xxix li. vi s. viii d.

Item ab eodem domino Radulpho pro ecclesia de Suthilingdon' Lincolnensis diocesis xv li. xii s.

Item, ab eodem domino Radulpho pro ecclesia de Reffham Lincolnensis diocesis ix li. xiii s. iiii d.

Item, ab eodem domino Radulpho pro ecclesia de Bulomere Londoniensis diocesis iiii li. xiii s. iiii d.

Item, a magistro Thoma de Xegefild, rectore ecclesie de Engestword Lincolnensis diocesis v li. x s.

Item, ab abbate Glastonie pro arreragiis decime sue viii li.

Item, a fratre Willelmo de Tutisancti, ordinis fratrum minorum, quondam rectore ecclesie Wrnessell' Cantuariensis diocesis, pro dicta ecclesia pro sua conscientia serenenda xiii s. iiii d.

Item, a magistro Gilio Filiolo pro ecclesia sua de Parva Acre Londoniensis diocesis viii li.

Item, ab eodem Gilio pro ecclesia sua de Maxe dicte diocesis vii li. iiii s.

Item, a Willelmo de Sockeden', rector ecclesie de Kalduel Lincolnensis diocesis vi li.

Summa omnium predictarum particularum receptarum post compotum ad curiam per Philippum de Comite a fratre Johanne, archiepiscopo Dublinensi, et magistro Arditione transmissum cccxxxii li. xi s. x d. Que summa continetur in compoto facto a dicto archiepiscopo et magistro Gifredo de Vezano, camere domini pape clerico, die ultimo mensis Martii anno domini millesimo ducento octoginta tertio, et quem compotum ipsi archiepiscopus et magister Gifredus ad curiam per dominum Robertum filium Rogeri, Dublinensem canonicum, destina-verunt.

¹ The caption *Ricardi* appears at the head of the folio.

[fol. 6] Item, socii predictae societatis receperunt ab . . archidiacono Toton' in ecclesia Exoniensi, qui fuit collector arreragiorum decime in Exoniensi episcopatu xxxiii s. viii d.

Item, ab episcopo Conwentrensi et Lichefeldensi pro complemento decime eum contingentis iuxta valorem annum mille marcarum secundum quem solvere noluit clx li. vi s. viii d.

Item, a domino Bogono de Clara pro ecclesia de Lyventon' Eliensis diocesis et pro ecclesia Dorking' Wintoniensis diocesis et pro ecclesia de Deneford et de Sueschap' Roffensis diocesis et pro ecclesiis de Pollested et de Saham Norwicensis diocesis et pro ecclesia de Dumago Magna Londoniensis diocesis lviii li. xviii s. viii d.

Item a domino Antonio Bek pro ecclesia de Kirketon' Lincolniensis diocesis xxii li. v s.

Item, ab eodem pro ecclesia de Holibech dictae Lincolniensis diocesis lxxviii li.

Item, ab eodem pro prebendali ecclesia de Arpetre Wellensis diocesis x s.

Et tenentur socii dictae societatis solvere pro ipso domino Antonio si reperiatur quod pro archidiaconatu Dunelmensi vel aliis beneficiis suis debita solutio decime non sit facta.

Summa supradictarum particularum receptarum post compotum quem dicti archiepiscopus et magister Gifredus miserunt ad curiam per supradictum Robertum filium Rogeri, canonicum Dublinensem cccxi li. xiiii s. Que summa continetur in compoto quem predicti archiepiscopus et magister Gifredus fecerunt octava die mensis Februarii anno domini millesimo ducento octoginta tertio et miserunt ad curiam per Johannem Bacone', capellanum quondam bone memorie fratris Roberti, episcopi Portuensis.

Summa omnium supradictorum que predicta societas Ricardorum de Luca debet et habet in deposito de pecunia decime Terre Sancte collecta in regno Anglie xi^m iii li. xi s. v d.

[fol. 6^v]

Mozorum

Isti sunt denarii quos socii societatis Mozorum de Florentia receperunt de decima concessa Terre Sancte subsidio collecta in regno Anglie.

In primis pro decima ecclesie de Thouecestre' Lincolniensis diocesis cuius rector est dominus Benedictus de Anagnia, domini pape notarius, quas recepit Mainetus Bek, dictae societatis socius, x li.

Item, pro domino episcopo Norwicensi quas recepit idem Mainetus l li.

Item, a collectore Londoniensi quas receperunt Mainetus et Medicus Aliotti v^c m.

Item, de pecunia decime deposita in thesauraria Novi Templi Londoniensis quas receperunt dictus Mainetus et Medicus Alioti eiusdem societatis socii m v^c m.

Item, a collectoribus Oxonie quas recepit Azolinus predictae societatis socius cccc li.

Item, de pecunia decime deposita in thesauraria Wellensi in nova moneta quas recepit dictus Azolinus v^o lv li. xiiii s.

Item, a cancellario Sarrisberiensis, collectore decime, de pecunia que remansit penes ipsum cancellarium et collegam suum, collectores in civitate et diocesi Sarrisberiensis quos recepit dictus Azolinus ccciii li. ix d.

Item a collectoribus Lichefeldensibus cc li.

Item, a collectoribus Eliensibus cccc li.

Item, a priore Karleolensi xx li.

Summa omnium predictarum particularum mmmccclxxii li. xvii d. Que summa continetur in compoto quem frater Johannes, archiepiscopus Dublinensis, et Magister Arditio miserunt ad curiam per Philippum de Comite, nepotem dicti magistri Arditionis

Item, receperunt socii predictae societatis a collectoribus Sarrisberiensibus cxvii li. iiii s. vi d. De quibus retinuerunt pro expensis quas fecit Azolinus solvi in aportando certam pecuniam veterem que erat deposita in thesauraria Wellensi Londoniam de voluntate dictorum archiepiscopi et magistri Arditionis iii li.

[fol. 7] Item, pro decima ecclesie Sancti Botulfi Lincolniensis diocesis cuius rector est magister Andreas Spiliati xxii li.

Item, a collectoribus Sarrisberiensibus clxxxxii li. ix s. ob. quad.

Item, a dicto cancellario de pecunia que remansit penes ipsum et collegam suum in compoto reddito eisdem archiepiscopo et magistro Arditioni et ad curiam per dictum Philippum transmissio c li.

Item, a magistro Henrico, archidiacono Thoton' clxxix li. vi s. i d.

Item, ab eodem archidiacono qui fuit constitutus collector arreragiorum decime in civitate et diocesi Exoniensi de pecunia que remansit penes collectores Exonienses in compoto reddito ipsis archiepiscopo et magistro Arditioni et misso ad curiam per dictum Philippum xl li.

Item, pro decima ecclesie de Reylega Londoniensis diocesis cuius rector est Andreas Spiliati iiii li.

Item, a rectore ecclesie de Melding' Norwicensis diocesis iii li.

Summa omnium predictarum particularum vi^o lvii li. xix s. vii d. ob. quad. De quibus deductis quinque libris pro supradictis expensis factis a dicto Azolino in portando pecuniam de Wellensi Londoniam, et pro quadraginta solidis redditibus Baiamundo per Medicum Aliotti de mandato dictorum archiepiscopi et magistri Arditionis restant vi^o lii li. xix s. vii d. ob. quad. Que continentur in compoto facto a predictis archiepiscopo et magistro Gifredo de Vezano die ultimo mensis Martii anno domini millesimo ducento octoginta tertio et misso ad curiam per dictum Robertum filium Rogeri, canonicum Dublinensem.

Item, receperunt socii dicte societatis a domino Waltero, vicario Sancte Wenburge de Ho, qui consuevit esse decanus Roffensis, quos ipse Ricardus et quondam Johannes de Strodes qui fuerunt collectores Roffenses receperant a priore et conventu [fol. 7^v]¹ Sancte Trinitatis Londoniensis pro decima et non computa-

¹ The caption *Mozorum* appears at the top of the folio.

verant xxxvi s. viii d. Qui continentur in compoto facto per dictos archiepiscopum et magistrum Gifredum octava die mensis Februarii anni supradicti et missum ad curiam per Johannem Baconem, capellanum bone memorie fratris Roberti, episcopi Portuensis.

Item, post predicta habet in deposito predicta societas Mozorum v° xlviij li. xiii s. iiii d. Quos Simon Gerardi, predictae societatis socius, recepit per manus religiosorum virorum abbatis et conventus Sancti Augusti Cantuariensis et quos iidem abbas et conventus habuerant in deposito de pecunia decime sicut continetur in robrica religiosorum in compoto transmissio ad curiam a dictis archiepiscopo et magistro Arditiōe per supradictum Philippum et de qua quantitate dictus Symon Gerardi fecit dicto magistro Gifredo cartam scriptam manu Willelmi de Sarzana publici notarii.

Summa summarum omnium supradictorum que debet dicta societas Mozorum et habet in deposito de denariis decime iiii^m v° lxxv li. xi s. ob quad.

[fol. 8]

Societas Scotorum

Isti sunt denarii quos socii societatis Scotorum de Placentia receperunt de pecunia decime Terre Sancte collecta in regno Anglie.

In primis receperunt Lincolnensi et Eboracensi et variis partibus de mandato magistri Raymundi et fratris Johannis m ix° lxvii li. v s. iiii d.

Item ab archidiacono de Nortberland, collectore Dunelmensi vii° lvi li. xiiii s. iiii d.

Item, receperunt Lincolnensi vi° li.

Item, receperunt postquam magister Arditiō venit in Angliam a collectore Londoniensi cccxxxiii li. xviii s.

Item, receperunt a collectoribus Oxonie ccliiii li. vii s. viii d.

Item, receperunt a collectoribus Lincolnensibus in pluribus vicibus vi° lxvi li. xiii s. vi d.

Item, receperunt a collectoribus Eboracensibus v° li.

Item, a collectoribus Lincolnensibus vi° lxvi li. xiii s. iiii d.

Item, a collectoribus Lincolnensibus mm li.

Item, ab abbate et conventu de Hall' in quibus fuerunt condemnati xl s.

Item, a collectoribus Eboracensibus cccclxvi li. xiiii s. iiii d.

Item, a dictis collectoribus Eboracensibus cccxxxiii li. vi s. viii d.

Item, ab eisdem collectoribus Eboracensibus c li.

Item, ab predictis collectoribus Eboracensibus ccxviii <li.> xvi s. vii d. quad.

Item, a dictis collectoribus Eboracensibus xii li. v s. iiii d.

Item, a Ricardo, rectore ecclesie de Bubis diocesis Eboracensis xx s.

Item, a decano Christianitatis Eboracensis xl s.

Item, ab executeore Hugonis de Sancto Dionisio diocesis Eboracensis viii li.

Item, a magistro Willelmo de Herdebir qui fuit collector in < >¹ diocesis Eboracensis iiii li. xvii s. iiii d.

¹ Three or four words obscured by a stain.

Item, a priore de Pontefracto diocesis Eboracensis xxv li. ix s. iiii d. ob.

Summa omnium predictarum particularum quas receperunt et habent in deposito socii predictae societatis Scotorum de Placentia ix^m xx li. ix d. ob. quad. Que summa continetur in compoto quem dicti archiepiscopus et magister Arditio miserunt ad curiam per supradictum Philippum.

[fol. 8^v]¹ Item receperunt socii predictae societatis a domino Thoma et magistro Symone, collectoribus arreragiorum decime constitutis Eboracensibus lxvi li. xiii s. iiii d.

Item, ab eisdem collectoribus Eboracensibus cc m.

Summa duarum dictarum particularum cc li. Que summa continetur in compoto quem fecerunt predicti archiepiscopus et magister Gifredus die ultimo mensis Martii anno domini millesimo ducento octoginta tertio, et quem miserunt ad curiam per dominum Robertum filium Rogeri, canonicum Dublinensem.

Summa omnium supradictorum que socii dicte societatis Scotorum de Placentia receperunt et habent in deposito de pecunia decime regni Anglie ix^m ccxx li. ix d. ob. quad.

[fol. 9]

Amanatorum

Isti sunt denarii quos socii societatis Amanatorum de Pistorio receperunt et habent in deposito de pecunia decime Terre Sancte collecta in regno Anglie.

In primis a collectoribus Cantuariensibus m v^o m.

Item, pro decima domini Percivalli de Lavania ccv m.

Item, ab abbate et conventu Cloylandie cxlviii m. viii s. v d. ob.

Item, ab abbate et conventu de Saleby cliiii m. xii s. xi d.

Item, pro decima domini Percevali de Lavania lii m. vi s. viii d.

Item, pro decima dicti domini Percevali cv m.

Item, a collectoribus Londoniensibus m m.

Item, de pecunia decime deposita in thesauraria Novi Templi Londoniensis mm m.

Item, pro decima dicti domini Percevali lii m. vi s. viii d.

Item, ab abbate de Sancto Edmundo lxxv m.

Item, a priore et conventu eiusdem Sancti Edmundi Norwicensis diocesis cxxviii m. xii s. viii d.

Item, a magistro ordinis de Sempingham cc m.

Item, pro decima dicti domini Percevali lii m. vi s. viii d.

Item, a magistro et fratribus de Sempingham cc m.

Item, ab abbate Sancti Edmundi lxxv m.

Item, a priore et conventu Sancti Edmundi cxxviii m. xii s. viii d.

Item, ab abbate Cloylandie lxxv m.

Item, ab abbate et conventu de Bello l m.

Item, ab abbate et conventu Sancti Albani c m.

¹ The caption *Scotorum* appears at the head of the folio.

Item, pro decima domini Percevalli lii m. vi s. viii d.

Item, a collectoribus Londoniensibus cccix li.

Summa omnium predictarum particularum iii^m v^e xlvi li. xiii s. iii d. ob. Que summa continetur in compoto quem predicti archiepiscopus et magister Arditio miserunt ad curiam per dictum Philippum.

[fol. 9^v]¹ Item, socii predictae societatis Amanatorum de Pistorio receperunt pro decima ecclesie de Tirinton' Norwicensis diocesis cuius rector est dominus Branchaleo de Lavania xxiiii li., que continentur in compoto quem fecerunt predicti archiepiscopus et magister Gifredus die ultimo mensis Martii anno domini millesimo ducento octoginta tertio et quem miserunt ad curiam per dominum Robertum filium Rogeri, canonicum Dublinensem

Summa omnium supradictorum que receperunt et habent in deposito socii predictae societatis Amanatorum iii^m v^e lxx li. xiii s. iii d. ob.

[fol. 10]

Bettori

Isti sunt denarii quos socii societatis filiorum Bettorum de Luca receperunt de pecunia decime Terre Sancte collecta in regno Anglie.

In primis ab abbate de Oseneya lxxx m.

Item, ab abbate de Tichefeld xv m.

Item, ab abbate de Lesnes xlv m.

Item, a collectoribus Lincolniensibus m m.

Item, a collectoribus Oxonie ccliiii li. vii s. viii d.

Item, a collectoribus Cantuariensibus cccc li.

Item, a collectoribus Wintoniensibus cccc m.

Item, a collectoribus Sarrisberiensibus cxxx li.

Item a magistro Gifredo de Vezano xxiii s. iii d.

Item, a priore Christi Ecclesie Cantuariensis c li.

Item, ab ipso priore Cantuariensi v^e li.

Item, a collectoribus Eboracensibus cclxvi li. xiii s. iii d.

Item, a dictis collectoribus Eboracensibus cccxxiii li. vi s. viii d.

Item, a dicto magistro Gifredo xxiii s. iii d.

Item, a priore Christi Ecclesie Cantuariensis c li.

Item, a collectoribus Lichefeldensibus vi^e lxxiiii li. iii s. x d. quad.

Item, a dicto magistro Gifredo x s. viii d.

Item, a priore et conventu Roffensi xxv li.

Item, ab abbate et conventu Sancti Albani cccxcvi m. vi s. i d.

Item, a dictis abbate et conventu vii s. iii d.

Item, a collectoribus Wintoniensibus vi^e lxvi li. xiii s. iii d.

Item, a collectoribus Lichefeldensibus v^e m.

Item, a dicto magistro Gifredo xxvi s. viii d.

Item, ab abbate et conventu Sancti Albani c m.

¹ The caption *Amanati* appears at the head of the folio.

Item, a collectoribus Eboracensibus m m.

Item a collectoribus Roffensibus v^c li.

Item, a dicto magistro Gifredo ii m.

Item, a dicto magistro Gifredo ii m.

[fol. 10^v]¹ Item, ab abbate de Oseneya c m.

Item, a collectoribus Wyntoniensibus m m.

Item, ab episcopo Norwycensi l m. quas idem episcopus collegerat apud Cantuariam quum erat archidiaconus Cantuariensis.

Summa omnium predictarum particularum vii^m xlviii li. ix s. x d. Que summa continetur in compoto quem fecerunt predicti archiepiscopus Dublinensis et magister Arditio et quem miserunt ad curiam per supradictum Philippum

Item, receperunt socii dicte societatis filiorum Betori de Luca ab episcopo Cicastrensi cxxxiii li. De quibus Colinus Testa, dicte societatis socius, dedit domino Ardioni, electo Mutinensi, centum sexdecim marcas sex solidos et quatuor denarios.

Item, a Waltero, rectore ecclesie de Stivton' Lincolniensis diocesis iiii li.

Item, ab Hugone, rectore ecclesie de Vasingleya Lincolniensis diocesis iiii li. xvi s.

Item, a magistro Henrico, archidiacono Thoton' collectore arreragiorum in civitate et diocesi Exoniensi xxiii li. iiii s. ix d. ob.

Item, a domino Johanne, thesaurario Exoniensi, et Willelmo, preceptore Crediton', qui fuerunt collectores decime Exonienses, xii li. ii s. ii d. ob.

Item, a predicto archidiacono Thoton' x li. xvii s. v d. de pecunia que remansit penes dictum thesaurarium et preceptorem et que in compoto facto a predictis archiepiscopo et magistro Ardione et misso ad curiam per dictum Philippum continetur.

Summa omnium supradictarum sex particularum receptarum post compotum missum ad curiam per dictum Philippum cxliii li. xii s. ix d. De quibus deductis septuaginta septem libris et tresdecim solidis quos recepit magister Arditio pro expensis remanent penes dictos socios predicte societatis lxxv li. xix s. ix d. sterlingorum. Qui continentur in compoto quem fecerunt [fol. 11] predicti archiepiscopus et magister Gifredus die ultimo mensis Martii anno domini millesimo ducento octoginta tertio, et quem miserunt ad curiam per supradictum dominum Robertum filium Rogeri, canonicum Dublinensem

Summa omnium supradictorum que predicta societas filiorum Bettori de Luca debet et habet in deposito de pecunia decime Terre Sancte in regno Anglie collecta vii^m cxliii li. ix s. vii d.

[fol. 11^v]

Circulorum

Isti sunt denarii quos receperunt socii societatis Circulorum de Florentia de pecunia decime Terre Sancte collecta in regno Anglie.

¹ The caption *Betori* appears at the head of the folio.

In primis a magistro Willelmo, subdecano Sarrisberiensis m vi° ix m. vi s.

Item, a collectoribus Dunelmensibus mccc l m.

Item, a collectoribus Eboracensibus vii° l m.

Item, ab eisdem collectoribus Eboracensibus m m.

Item, a collectoribus Norwicensibus ix° lxxix li.

Item, a collectoribus Lincolnensibus ccc m.

Summa omnium predictarum sex particularum iii^m cccxviii li. xii s. viii d.

Que continetur in compoto quem fecerunt predicti archiepiscopus et magister Ardito et quem miserunt ad curiam per dictum Philippum.

Item, post dictum compotum receperunt socii dicte societatis Circulorum de Florentia a magistro Roberto de Purle, collectore arreragiorum decime in civitate et diocesi Cicestrensi cxxxvi li. Que continentur in compoto quem fecerunt predicti archiepiscopus et magister Gifredus die ultimo mensis Martii anno domini millesimo ducento octoginta tertio et quem miserunt ad curiam per supradictum dominum Robertum filium Rogeri, canonicum Dublinensem.

Summa omnium supradictorum que debet dicta societas Circulorum et habet in deposito de pecunia decime Terre Sancte collecta in regno Anglie iii^m ccccli li. xii s. viii d.

[fol. 12]

Pulicum

Isti sunt denarii quos receperunt socii societatis Pulicum et Rembertinorum de Florentia de decima Terre Sancte collecta in regno Anglie.

In primis a collectoribus Roffensibus v° xxvi m.

Item, a collectoribus Londoniensibus cclxxiiii m.

Item, a collectoribus Exoniensibus v° m.

Item, a Maineto Bek' de societate Mozorum viii° m.

Item, a magistro Salvagio l s.

Item, de pecunia decime deposita in thesauraria Novi Templi Londoniensis mm m.

Item, a collectoribus Londoniensibus ccc m.

Item, a priore Roffensi xxv li.

Item, a collectoribus Eliensibus ccc m.

Item, ab abbate Glastonie vii° lxx m. quas idem abbas debebat pro quodam deposito facto penes ipsum per collectores Wellenses.

Summa omnium predictarum particularum iii^m vi° lxxiiii li. iii s. iii d. Que summa continetur in compoto quem fecerunt predicti archiepiscopus et magister Ardito et quem miserunt ad curiam per dictum Philippum.

Item, receperunt socii dicte societatis Pulicum et Rembertinorum post dictum compotum a Willelmo de Hathfeld nomine collectoris arreragiorum Sarresberiensium pro decima ecclesie de Littiton' Sarrisberiensis diocesis x s. iii d.

Item, a priore et conventu monachorum Thefordie Norwicensis diocesis cexii m. ix s. vi d. ob.

Item, a domino Willelmo de Perci, rectore ecclesiarum de Skiribek et de Magna Langeford Lincolniensis et Sarrisberiensis diocesum xix m. xv d.

Item, a domino Pagano, rectore ecclesie Fillingham Lincolniensis diocesis xi li. xii s.

Item, a magistro Salvagio xi li.

[fol. 12^v]¹ Summa predictarum quinque particularum post compotum missum ad curiam per dictum Philippum clxxvii li. xiii s. ii d. ob. Que summa continetur in compoto quem predicti archiepiscopus et magister Gifredus fecerunt die ultimo mensis Martii anno domini millesimo ducento octoginta tertio et quem miserunt ad curiam per supradictum Robertum, canonicum Dublinensem.

Item, socii predictae societatis receperunt a magistro Nichola de Ros pro decima ecclesie sue de Offington' Lincolniensis diocesis xii li. viii s.

Item, a magistro Petro de Ros pro ecclesia sua de Hulton' Lincolniensis diocesis x li.

Summa dictarum duarum particularum xxii li. viii s. Que summa continetur in compoto quem fecerunt predicti archiepiscopus et magister Gifredus octavo die mensis Februarii anni supradicti et quem miserunt ad curiam per supradictum Johannem Baconem, capellanum bone memorie fratris Roberti, episcopi Portuensis.

Summa omnium supradictorum que societas predicta Pulicum et Rembertinorum debet et habet in deposito de pecunia decime Terre Sancte in regno Anglie collecta iii^m viii^o lxxiiii li. iiii s. vi d. ob.

[fol. 13]

Scala

Isti sunt denarii quos receperunt socii societatis de Scala de Florentia de pecunia decime Terre Sancte collecta in regno Anglie.

In primis apud Eboracum a domino episcopo Viridunensi et magistro Raymundo mmccclxxxiiii li. v s. iiii d.

Item, a dictis episcopo et magistro Raymundo v^o m. xii d.

Item, a dictis episcopo et magistro Raymundo v^o m.

Item, a priore de Reppendon' xlix m. viii s.

Item, a priore et conventu de Keneliword lxxii li. xvii s. vi d.

Item, ab abbate et conventu de Leycestr' lxxiii li. xii s.

Item, ab abbate Sancti Eadmundi l li.

Item, a priore et conventu Sancti Eadmundi cxx m. viii s. v d.

Item, ab hospitalario Sancti Salvatoris eiusdem loci v li.

Item, a domino Henrico de Granzone x m.

Item, a collectoribus Eboracensibus m m.

Item, a collectoribus Londoniensibus mm m.

Item, a collectoribus Londoniensibus ccc m.

Item, a domino Henrico de Granzono x m.

¹ The caption *Pulicum* appears at the head of the folio.

Item, per manus abbatis et conventus de Habindon' Sarrisberiensis diocesis cccclxxxv m ii s. iii d. quad.

Summa omnium predictarum particularum v^m vii^e lxxxxii li. xiiii s. vi d. quad. Que summa continetur in compoto quem predicti archiepiscopus et magister Arditio fecerunt et quem miserunt ad curiam per supradictum Philippum.

Item, receperunt socii dicte societatis pro decima ecclesie de Deneford Lincolniensis diocesis cuius rector est magister Rogerus, clericus abbatis Cestrie xx s. Qui continentur in compoto quem fecerunt predicti archiepiscopus et magister Gifredus et quem miserunt ad curiam per supradictum Johannem Baconem.

Summa omnium que socii dicte societatis de Scala debent et habent in deposito de pecunia decime collecta in regno Anglie v^m vii^e lxxxxiii li. xiiii s. vi d. quad.

[fol: 13^v]

Filiorum Bonsegnoris

Isti sunt denarii quos socii societatis Filiorum Bonsegnoris de Senis receperunt de pecunia decime Terre Sancte collecta in regno Anglie.

In primis per diversas particulas ab episcopo Viridunensi et magistro Raymundo cclxxxix m. viii s. x d.

Item, a collectoribus Eliensibus mcccxx m.

Item, a collectoribus Lichefeldensibus vi^e m.

Item, de pecunia collecta per collectores Oxonie constitutos vii^e liii m. vi s. vi d.

Item, a priore et conventu Westmonasterii ix m. vii s. iiii d. quad.

Item, ab eisdem priore et conventu xiii s. iiii d.

Item, a collectoribus Wintoniensibus m li.

Item, ab episcopo Norwicensi pro arreragiis compoti decime Cantuariensis cuius collector extitit dum erat archidiaconus Cantuariensis cii m.

Item, ab abbate Rading' ccc m.

Item, a Willelmo, rectore ecclesie de Merewinchert' Exoniensis diocesis viii m. xi s. i d.

Item, a magistro Johanne de Gelingham, rectore ecclesie de Licton' Lincolniensis diocesis vi m.

Item, pro parte decime abbatis Westmonasterii c li. xviii s. iiii d.

Item, pro decima dicti abbatis Westmonasterii xi li. xiii s. iiii d.

Item, pro decima prioris et conventus Westmonasterii xxx li. ix s. ix d.

Item, pro decima ipsorum prioris et conventus Westmonasterii xxiii li. ix d. ob. quad.

Item, a collectoribus Londoniensibus ccccx m. xii s. iiii d.

Item, a domino Johanne, precentore Londoniensi v li.

Item, a priore et conventu de Lewes xxvii li. xii s. vi d.

Item, a collectoribus Norwicensibus m m.

Item, a collectoribus Lincolniensibus v^e m.

Item, ab Hugone, rectore ecclesie de Titmers Lincolniensis diocesis iiii m. viii d.

Item, a priore et conventu de Daventre Lincolniensis diocesis lvi li. xiii d.

Item, a priore et conventu de Esseby Canonorum Lincolniensis diocesis v li. viii d.

Item, a custode maneriorum de Everdon' et Creting' que sunt abbatis de Bernay Lexovicensis diocesis vii li. xvi d. quad.

Item, a collectoribus Eliensibus ccl li. x d.

[fol. 14] Item, a collectoribus Norwicensibus vi^c xxiii li. vi s.¹

Item, a collectoribus Norwicensibus cccclx li.

Item, a magistro Henrico de Craw, rectore ecclesie de Semer' Norwicensis diocesis xlviii s.

Item, a magistro Boneto de Sancto Quintino pro decima sui decanatus diocesis Lichefeldensis et pro ecclesia de Has Londoniensis diocesis lxx m.

Item, ab episcopo Norwicensi pro arreragiis in quibus remansit quum fuit redditus compotus apud Cantuariam xlii li. i d.

Item, a magistro Giliberto de Leycestria pro decima abbatis de Leycestria xl m.

Item, a dominis Fulcone Lovel et Johanne Soldan, collectoribus Londoniensibus clxxx li. vi s. viii d. quad.

Item, a decano Londoniensi de remanente penes ipsum et priorem Sancte Fredesuyde de receptis per ipsos quum fuerunt collectores apud Oxoniam cccclxvii li. v s.

Item, ab ipso priore Sancte Fredeswide de summa que remanserat penes ipsum et predictum decanum xxvi li. xiii s. iii d.

Item, a magistro Thoma de Hyngestorp, decano Londoniensi ix li. vi s. viii d.

Summa omnium predictarum particularum vi^m ix^c xxxi li. xviii s. vi d. ob. quad. Que summa continetur in compoto quem fecerunt predicti archiepiscopus et magister Arditio et quem miserunt ad curiam per supradictum Philippum.

Item, receperunt socii predicte societatis Filiorum Bonsegnoris de Senis a collectoribus arreragiorum decime Sarrisberiensis diocesis per manum Willelmi de Hathfeld, rectoris ecclesie de <L>etiton' x<x> li. iii d.²

Item, a Roberto de Scardeburg, rectore ecclesiarum de Resxenden', de Lodecastro et de Rigewuk Lincolniensis, Karleolensis et Cicestrensis diocesum viii m.

Item, a fratre Warino, quondam thesaurario Novi Templi Londoniensis et collectore decime Londoniis constituto lxxxxix m. ii s. vii d. quad.

Item, a domino Willelmo de Burnenton', rectore ecclesiarum de [fol. 14^v]³ Welton' et de Abbotesley Lincolniensis diocesis et de Kelevendon' <Londoniensis>⁴ diocesis et a domino Thoma de Burnenton', rectore ecclesie <de>⁴ Stikinei Lincolniensis diocesis xxviii m. xvi d.

Item, a domino Johanne, thesaurario Exoniensi, de decima que restabat <penes>⁵ ipsum et collegam suum de compoto quem reddiderunt predictis archiepiscopo et magistro Arditioni et quem portavit⁶ dictus Philippus ad curiam xii li.

¹ A rub in the MS. may obscure some pennies in the sum.

² The first letter of the name is rubbed, and the sum is partly obscured by a blot.

³ The caption *Filiorum Bonsegnoris* appears at the head of the folio.

⁴ MS. rubbed.

⁵ Not in MS.

⁶ *potavit*, MS.

Item, a diversis personis et per diversas particulas de arreragiis beneficiorum suorum cccxxxvi li. xi d. quad., facta ratione cum predictis archiepiscopo et magistro Ardizione de singulis particulis.

Item, a dominis Fulcone Lovel et Johanne Soldan, collectoribus Londoniensibus ccxlv li.

Item, a dicto domino Lovel l li.

Item, a predicto domino Fulcone Lovel lxxi li. xiii s. ob.

Item, a dicto domino Johanne Soldan l li.

Item, ab eodem domino Johanne Soldan lxxi li. xiii s. ob.

Item, a diversis personis in diocesi Londoniensi per diversas particulas pro arreragiis decime beneficiorum suorum xlvii li. x s. iiii d. ob.

Item, a diversis personis foraneis in civitate et diocesi Londoniensi clii li. ii s. vi d. ob.

Item, a dicto domino Fulcone Lovel ii m. vi s. viii d.

Item, a collectoribus Norwicensibus c li.

Item, a rectore ecclesie de Legamareni Londoniensis diocesis iiii li. xiiii s. viii d.

Item, a rectore Sancte Marie de Aldremanebyr' Londonia viii s.

Item, a Roberto, vicario ecclesie de Wyham Londoniensis diocesis iiii li. xvi s. viii d.

Item, a domino Willelmo de Bruton', rector ecclesie de Barthon' Lincolniensis diocesis iii li. xii s.

Item, a domini Roberto de Stokes, rectore ecclesie de Wylie Lincolniensis diocesis v li. iiii s.

Item, ab abbate Sancte Oxite Londoniensis diocesis viii li. xv s. iiii d.

Item, a Roberto, vicario ecclesie de Tirifeld Lincolniensis diocesis iiii li.

Item, a magistro Johanne, rectore ecclesie de Dalington' Lincolniensis diocesis xlviii s.

Item, a fratre Ricardo de Straford ordinis predicatorum pro arreragiis decime ecclesie beate Marie de Arcubus Londonia iii li. xii s.

Item, a rectore ecclesie de Tirifeld Lincolniensis diocesis viii li.

Item, a rectore ecclesie de Barnete Lincolniensis diocesis xli s. iiii d.

[fol. 15] Item, a predicto archiepiscopo Dublinensi de denariis quos receperat a collectoribus Londoniensibus pro expensis suis tunc futuris lxvii li. xiii s.

Item, a magistro Roberto, rectore ecclesie de Suthemere Norwicensis diocesis x s.

Item, a Roberto de Littebery, rectore ecclesie de Kynton' Bathoniensis diocesis iii li. i s. x d. ob.

Item, a domino Radulpho de Baldalp, rectore ecclesie de Westhanigfeld Londoniensis diocesis liii s. iiii d.

Item, a rectore de Staneground Lincolniensis diocesis xviii li.

Item, a decano Rothomagensi pro manerio de Otri Sancte Marie Exoniensis diocesis xx s.

Item, a rectore ecclesiarum Omnium Sanctorum et Sancti Andree de Sautre Lincolniensis diocesis iiii li. xviii s. viii d.

Item, a decano Sancti Pauli Londoniensis qui fuit collector Oxonie pro dimidia

parte viginta duarum librarum receptarum pro decima a monasterio de Einsham Lincolniensis diocesis xi li.

Item, a magistro Johanne de Lamara, rectore ecclesie de Glaton' Lincolniensis diocesis xv li.

Item, a rectore ecclesie de Flaminton' Norwicensis diocesis iii li. vii s. viii d.

Item, a magistro Petro de Habindon', rectore ecclesie de Newenton' Lincolniensis diocesis i li. xiii s. iiiii d.

Item, a domino Willelmo, rectore medietatis ecclesie de Greyngnam Lincolniensis diocesis iiiii li. xvi s.

Item, a domino Johanne Soldan, collectore Londoniensi unacum Fulcone Lovel i li. xiii s. iiiii d.

Item, a Radulpho, rectore ecclesie de Kettleberston' Norwicensis diocesis xii s. iiiii d.

Item, a Philippo, rectore ecclesie de Torp Norwicensis diocesis vi s. viii d.

Item, a Willelmo, rectore ecclesie de Laveham Norwicensis diocesis xiiii s. viii d.

Item, a domino Roberto filio Rogeri, canonico Dublinensi, pro decima contingente eum pro prebenda quam habet in ecclesia de Pantriz Conventrensis et Lichfeldensis diocesis iii li. vi s. viii d.

Item, a rectore ecclesie de Nedding' Norwicensis diocesis xl s.

Item, a rectore ecclesie de Parva Nedding' Lincolniensis diocesis iiiii li. ix s. iiiii d.

Item, a magistro Willelmo de Welling', rectore ecclesie de Griston' et medietatis de Banbingele et Wolfeton' Norwicensis diocesis x li. ii s. viii d.

Item, a Normanno, rectore ecclesie de Neuton' Norwicensis diocesis vii li. xvi d.

Item, a Simone, vicario ecclesie de Camelton' Lincolniensis diocesis lx s.

Item, a magistro Thoma de Wingefeld pro ecclesia sua de Sternefeld Norwicensis diocesis vi s. viii d.

[fol. 15^v]¹ Item, a domino Willelmo de Halmenton' pro prebenda sua de Wynburn' Sarrisberiensis diocesis iiiii li.

Item, a dominis Fulcone Lovel et Johanne Soldam c m. que fuerunt de decima prioris de Lewes et que remanserant penes dictos Fulconem et Johannem, collectores Londonienses, in compoto reddito predictis archiepiscopo et magistro Arditioni et misso ad curiam per dictum Philippum.

Item, a decano Sancti Pauli Londoniensis, olim collectore apud Oxoniam constituto, de pecunia que remansit penes ipsum et collegam suum in compoto reddito predictis archiepiscopo et magistro Arditioni et misso ad curiam per dictum Philippum lxxvi li. xix d. ob. quad.

Summa omnium premissarum particularum receptarum post compotum missum a dictis archiepiscopo et magistro Arditione ad curiam per dictum Philippum m v^o lxxxxi li. i s. ob. quad. De quibus deductis quadraginta duabus libris et decem denariis solutis pro expensis a Bartholomeo Marti, socio dicte societatis, prout apparet in particulis expensarum scriptis in compoto quem predicti archi-

¹ The caption *Filiorum Bonsegnoris* appears at the head of the folio.

episcopus et magister Gifredus miserunt ad curiam per supradictum Robertum filium Rogeri, canonicum Dublinensem, remanent penes socios dicte societatis m^o xlix li. iiii d. ob. quad. Qui continentur in compoto predicto misso a dictis archiepiscopo et magistro Gifredo et facto die ultimo mensis Martii anno domini millesimo ducento octoginta tertio.

Item, receperunt socii dicte societatis Filiorum Bonsegnoris de Senis a Rogero de Graton', rectore ecclesiarum Omnium Sanctorum et Sancti Andree de Saltre Lincolniensis diocesis vi s.

[fol. 16] Item, a collectoribus Norwicensibus lxiii li.

Item, a domino Willelmo de Warminton', rectore ecclesie de Stinbinton' Lincolniensis diocesis xxi s. iiii d.

Item a magistro Henrico de Nastynton', rectore ecclesie de Lotynton' Lincolniensis diocesis ii li. xvi s.

Item, a magistro Willelmo, rectore ecclesie Woborn' Lincolniensis diocesis xx s.

Item, a magistro Stephano de Sancto Georgio pro ecclesia sua de Stanewell' Londoniensis diocesis xiii li. vi s. viii d.

Item, a Johanne Lovitot pro ecclesia sua de Bobewick ii li.

Summa predictarum septem¹ particularum iiii^{xx} iii li. x s. De quibus deductis sexaginta duabus libris sexdecim solidis et decem denariis solutis pro expensis scriptis in compoto quem fecerunt predicti archiepiscopus et magister Gifredus octavo die mensis Februarii anni supradicti et quem miserunt ad curiam per supradictum Johannem Baconem, remanent penes socios dicte societatis xx li. xiii s. ii d.

Summa omnium supradictorum que socii predictae societatis Filiorum Bonsegnoris de Senis debent et habent in deposito de pecunia decime Terre Sancte in regno Anglie collecta viii^m v^o l li. xii s. ob.

[fol. 16^v]

Cardelini

<Isti>² sunt denarii quos socii societatis Cardelinorum de Luca receperunt de pecunia decime Terre Sancte collecta in regno Anglie.

In primis a priore Roffensi collectore arreragiorum decime in civitate et diocesi Roffensi constituto cc li. In quibus sunt viginti una libre quindecim solidi tres denarii de pecunia que remansit penes Walterum, decanum Roffensem et quondam Johannem de Strodes qui fuerunt collectores decime in compoto reddito predictis archiepiscopo et magistro Ardioni et misso ad curiam per supradictum Philippum.

Item, a collectoribus Oxonie cc li.

Item, a magistro Roberto de Glovernia, canonico Herefordie, qui fuit officialis Herefordie et collector arreragiorum dicte decime in episcopatu Herefordensi, lvii li. xiii s. ob. In quibus fuerunt viginti tres libre decem et novem solidi sex denarii de pecunia que erat in deposito penes priorem et conventum Lanton' et

¹ *sepertem*, MS.

² MS. torn.

priorem et conventum de Lamminster Herefordensis diocesis, et que continetur in compoto a dictis archiepiscopo et magistro Arditione misso ad curiam per Philippum predictum.

Item, ab episcopo Roffensi de pecunia que remansit penes dictos decanum Roffensem et quondam Johannem de Strodes xiii li. vi s. viii d.

Item, a priore Sancti Augustini Cantuariensis collectore arreragiorum decime in civitate et diocesi Cantuariensi c li.

Item, a priore Sancte Fredewude de Oxonia qui fuit collector decime unacum magistro Thoma, decano Sancti Pauli Londoniensis, Oxonie constitutis de pecunia que remansit penes dictos decanum et priorem in dicto compoto misso a dictis archiepiscopo et magistro Arditione ad curiam per Philippum lxxviii li. xi d. ob.

Item, ab abbate de Kaymsham Bathoniensis diocesis l li. xix s. vi d.

Item, a magistro Symone de Worth, canonico Lincolnensi collectore [fol. 17] arreragiorum decime Lincolnensis constituto lxxiii li. xiii s.

Item, a collectoribus Oxonie constitutis xxxvii li. xv s. vi d.¹

Item, a magistro Symone de Gandavo, rectore ecclesiarum de Wildeford Eboracensis et de Erdiset Norwicensis diocesis xvi li. xiii s. iii d.

Item, ab abbatisa et conventu de Katariz Eliensis diocesis xxii li. xii s. ix d.

Item, a dicto priore Sancte Fredeswid pro ecclesia de Femmeresham Lincolnensis iii li.

Item, a magistro Raymondo, rectore ecclesie de Norton' Norwicensis diocesis ix li. iii s.

Item, a dicto Symone de Wrth, canonico Lincolnensi, per manum Willelmi, rectoris ecclesie de Wiliby vi li.

Item, a rectore ecclesie de Berton' Lincolnensis diocesis xxiiii s.

Item, a magistro Rogero, rectore ecclesie de Deneford Lincolnensis diocesis vi li. xiii s. iii d.

Item, a rectore ecclesie de Geding' Abbatis Lincolnensis diocesis xxxii s.

Item, a rectore ecclesie de Arinenton' Lincolnensis diocesis lvi s.

Item, a rectore ecclesie de Hull' sive de Ulfreye Lincolnensis diocesis xxxii s.

Item, a rectore ecclesie de Copmanford Lincolnensis diocesis iii li.

Item, a rectore ecclesie de Upeton' Lincolnensis diocesis iii li.

Item, a rectore ecclesie de Sutton' Lincolnensis diocesis iii li. xiii s. iii d.

Item, a rectore ecclesie de Yworth Lincolnensis diocesis iii li.

Item, a rectore ecclesie Sancti Vigoris de Falburn' Eliensis diocesis viii li.

Item, a rectore ecclesie de Aldinham Lincolnensis diocesis iii li.

Item, a rectore ecclesie de Bukeword Lincolnensis diocesis vi li.

Item, ab Hugone de Penna pro portione prebende sue de Bruges que est apud Hertinton' Herefordensis diocesis xlviii s.

Item, a dicto priore Sancte Fredeswide pro medietate viginti duarum librarum quas ipse et decanus Sancti Pauli collega suos receperant ab abbate de Eynsham xi li.

¹ MS. rubbed; it may be vii or viii d.

Item, a rectore ecclesie de Lavvers Londoniensis diocesis xxxvi s.

Item, a fratre Roberto Maynard, canonico Osenae quondam rectore ecclesie Sancte Marie Magdalene Lincolnensis diocesis xlviii s.

Item, ab ipso fratre Roberto pro fratre Thoma, concanonico suo qui fuit rector ecclesie Chastri Sancti Eadmundi Norwicensis diocesis xxvi s. viii d.

[fol. 17^v]¹ Item a collectoribus arreragiorum decime in civitate et diocesi Norwicensi constitutis vi^o lxvi li. xiii s. iiii d.

Summa omnium predictarum particularum est m vi^o iiii li. i s. xi d. ob. quad. Qui continentur in compoto quem fecerunt predicti archiepiscopus et magister Gifredus die ultimo mensis Martii anno domini millesimo ducento octoginta tertio, et quem miserunt ad curiam per supradictum Robertum, filium Rogeri, canonicum Dublinensem

Item, receperunt socii predictae societatis Cardelinorum de Luca de pecunia que remansit penes dominum Simonem de Wrth, canonicum Lincolnensem in compoto arreragiorum decime ab eo reddito predictis archiepiscopo et magistro Gifredo xxx li.

Item, de pecunia que remansit penes magistrum Thomam de Heddon', canonicum Eboracensem, et dominum Symonem, decanum Christianitatis Eboracensis, in compoto ab eis reddito dictis archiepiscopo et magistro Gifredo xxx li. xviii s. ii d.

Summa predictarum duarum particularum lx li. xviii s. ii d.

Summa omnium supradictorum que predicta societas Cardelinorum de Luca debet et habet in deposito de pecunia decime Terre Sancte collecta in regno Anglie m vi^o lxxv li. i d. ob. quad.

[fol. 18]

Bardorum

Isti sunt denarii quos socii societatis Bardorum de Florentia receperunt de denariis decime Terre Sancte collectis in regno Anglie

In primis a collectoribus Eboracensibus m m.

Item, a collectoribus Lichefeldensibus v^o lxxiii <m.>²

Item, a collectoribus Wigorniensibus v^o l m.

Summa predictarum particularum mccccxv li. xv s. i d. ob. quad.³ Que summa continetur in compoto quem fecerunt predicti archiepiscopus et magister Ardito et quem miserunt ad curiam per supradictum Phylippum.

Item, receperunt socii predictae societatis Bardorum a priore et conventu de Turgenton' Eboracensis diocesis xliiii li. xiii s.

Item, a collectoribus Conventrensis et Lichefeldensis lxvi li. xiii s. iiii d.

Summa predictarum duarum particularum cxi li. vi s. iiii d. Que summa con-

¹ The caption *Cardelini* appears at the head of the folio.

² The sum may have contained some s. and d. The MS. is torn and rubbed.

³ The pence supplied by computation; they are illegible in the MS.

tinetur in compoto quem fecerunt predicti archiepiscopus et magister Gifredus die ultimo mensis Martii anno domini m^occ^o octoginta tertio, et quem miserunt ad curiam per magistrum Robertum filium Rogeri, canonicum Dublinensem.

Item, receperunt socii predictae societatis Bardorum a collectoribus Lichefeldensibus de pecunia que remansit penes eos in compoto arreragiorum decime ab eis reddito predictis archiepiscopo et magistro Gifredo et misso ad curiam per supradictum Robertum, canonicum Dublinensem cxli li. x s. iiii d. ob. Que summa continetur in compoto quem fecerunt predicti archiepiscopus et magister Gifredus octavo die mensis Februarii anni supradicti, et quem miserunt ad curiam per supradictum Johannem Baconem.

Summa omnium supradictorum quem societas Bardorum de Florentia debet et habet in deposito de pecunia decime Terre Sancte collecta in regno Anglie m vi^o lxxviii li. xi s. x d. quad.

[fol. 18^v]

Freskebaldi

<Isti sunt denarii quos socii>¹ societatis Freskebaldorum de Florentia <receperunt de pecunia decime>¹ Terre Sancte collecta in regno Anglie.

<In primis a>¹ collectoribus Cantuariensibus v^o m.

<Item, ab priore de>² Merton' et conventu eiusdem loci Wintoniensis diocesis xlii li.

<Item, a collect>oribus² Lincolniensibus vii^o m.

<Item, a>² collectoribus Lichefeldensibus ccxxii li. vii s. v d. ob. quad.

<Item, a>² collectoribus Dunelmensibus vi^o xviii m.

Item, a collectoribus Dunelmensibus vii^o xxiii li. xiii s. xi d. ob.

Item, a magistro Willelmo, rectore ecclesie de Barthon' Karleolensis diocesis viii li.

Item, a priore de Wykesop Eboracensis diocesis v m.

Item, a priore de Burewell' Lincolniensis diocesis vi m.

Item, a priore de Hatham Lincolniensis diocesis ix m. vii s. iiii d.

Item, ab abbate et conventu de Newus Lincolniensis diocesis xiii li. iii s.

Item, ab abbate et conventu de Neubo Lincolniensis diocesis xli m. ix s. iiii d.

Item, a collectoribus Lincolniensibus xxxii li.

Item, a dictis collectoribus Lincolniensibus xxv li. x s. iii d.

Item, a priore de Belvero de summa in qua remanserat obligatus in compoto quem ipse et collega suus reddiderunt predictis archiepiscopo et magistro Arditi-
oni xxv li. iiii s. v d. ob.

Summa omnium predictarum particularum mmcccxlvi li. x s. i d. ob. Que summa continetur in compoto quem fecerunt predicti archiepiscopus et magister Arditi-
o et miserunt ad curiam per supradictum Philippum de Comite.

Item, receperunt socii predictae societatis Freskebaldorum a domino Symone

¹ MS. frayed.

² MS. torn and rubbed.

de Wrth, canonico Lincolniensi collectore arreragiorum decime Lincolniensis constituto vii^o xxxiii li. vi s. viii d.

[fol. 19] Item, a dicto domino Symone ix^o ¹

Item, a precentore Sancti Suwintuni Wintoniensis, collectore arreragiorum decime Wintoniensis constituto cclv¹

Item, a predicto domino Symone, canonico Lincolniensi xl m.

Item, a domino Roberto de Purle, collectore arreragiorum decime in civitate et diocesi Cycestrensi constituto lxxx li.

Item, a dicto domino Roberto de Purle de pecunia que remanserat penes eum et collegam suum in compoto reddito predictis archiepiscopo et magistro Arditi-
oni et misso ad curiam per dictum Philippum lxxx li.

Summa omnium supradictarum particularum receptarum post compotum missum ad curiam per Philippum m vii^o xxx li. Que continetur in compoto quem fecerunt predicti archiepiscopus et magister Gifredus die ultimo mensis Martii anno domini m^occ^olxxxiii^o et quem miserunt ad curiam per supradictum Robertum, canonicum Dublinensem.

Item, receperunt socii predictae societatis Freskebaldorum a fratre Raynero, priore de Belvero, qui fuit collector Oxonie, in partem solutionis quarundam particularum receptarum ab ipso et collega suo et non computatarum x li.

Item, a magistro Symone de Micham, cancellario Sarrisberiensis collectore arreragiorum decime Sarrisberiensis constituto de pecunia que remanserat penes ipsum cancellarium in compoto arreragiorum reddito predictis archiepiscopo et magistro Gifredo et que continetur in compoto misso ad curiam per supradictum Robertum, canonicum Dublinensem cx li. iii s. iii d.

Summa dictarum duarum particularum cxx li. iii s. iii d. Qui continentur in compoto quem fecerunt predicti archiepiscopus [fol. 19v]² <et magister Gifredus>³ octavo die mensis Februarii anni <supradicti, et quem>³ miserunt ad curiam per supradictum <Johannem Baconem.>³

<Summa>³ omnium que predicta societas Freskelbaldorum de Florentia <debe>t³ et habet in deposito de pecunia decime collecta in <regno>³ Anglie est iii^m clxxxvi li. xiii s. v d. ob. quad.

[fol. 20]

Falconeriorum

Isti sunt denarii quos socii societatis Falconeriorum de Florentia receperunt de pecunia decime Terre Sancte collecta in regno Anglie.

In primis a collectoribus Herefordensibus ix^o m.

Item, ab abbate de Lesnes quas receperat dictus abbas in compoto a collectoribus Londoniensibus c li.

Item, a collectoribus Lichefeldensibus cc li.

¹ A rubbed corner of the folio makes the remainder of the sum illegible.

² The caption *Freskebaldorum* appears at the head of the folio.

³ MS. torn and rubbed.

Item, de pecunia deposita in thesauraria ecclesie Roffensis cxxvi li.

Item, a priore et conventu de Kaneliword cxiii li. xii s. vi d.

Item, ab eodem priore et conventu xxvii li.

Item, per manum Philippi de magistro de Leycestria pro decima abbatis de Leycestria xl m.

Summa omnium predictarum particularum mclxxxiii li. v s. x d. Que summa continetur in compoto quem fecerunt predicti archiepiscopus et magister Arditio et quem miserunt ad curiam per supradictum Philippum.

Item, receperunt socii predictae societatis Falconeriorum de Florentia a procuratore abbatis de Glayston', qui dicitur prior de Wilmenton', Cicestrensis diocesis pro arreragiis decime sue lxvii li. xii s. vii d.

Item, a collectoribus Norwicensibus m m.

Item, a magistro Lucasio, thesaurario Herefordensi de pecunia que remansit penes ipsum quando reddidit finalem compotum predictis archiepiscopo et magistro Arditiōni x li. xviii s.

Item, ab eodem thesaurario de pecunia que remansit penes ipsum et collegam suum in compoto quem fecit predictis archiepiscopo et magistro Arditiōni ccl li.

Item, a collectore arreragiorum decime constituto in civitate et diocesi Wigorniensis cclxvii li.

[fol. 20^v]¹ <Item, a collectoribus>² arreragiorum Eboracensibus constitutis ciii li. xiii s. viii d.

<Item, a Tho>ma³ de Wynbys, collectore decime apud < de>⁴ pecunia que remansit penes ipsum et <collegam s>uum⁵ in compoto reddito predictis archiepiscopo et magistro⁵ Arditiōni clxxx li.

<Item a>⁵ collectoribus Norwicensibus ccxxv li. v s. iii d.

Summa omnium predictarum particularum receptarum post compotum missum ad curiam per Philippum m vii^o lxxi li. ii s. xi d. Qui continentur in compoto quem predicti archiepiscopus et magister Gifredus fecerunt die ultimo Martii anno domini millesimo ducento octoginta tertio et quem miserunt ad curiam per predictum magistrum Robertum, canonicum Dublinensem.

Summa omnium supradictorum que predicta societas Squarcialuppi de Florentia debet et habet in deposito mm viiii^o lxiii li. viii s. ix d.

[fol. 21]

Squarcialuppi

Isti sunt denarii quos debet et habet in deposito societas Squarcialuppi de Luca de denariis decime Terre Sancte collectis in regno Anglie et quos Landus Bernardini Runtini recepit.

A priore de Ware pro arreragiis decime bonorum que habet in Anglia excepta

¹ The caption *Falconeriorum* appears at the head of the folio.

² MS. torn and rubbed.

³ Part of one word and probably another word missing.

⁴ One word probably lacking.

⁵ MS. torn and rubbed.

ecclesia de Ware xliii li. xviii s. x d. qui continentur in compoto quem fecerunt predicti archiepiscopus et Gifredus die ultimo mensis Martii anno domini millesimo ducento octoginta tertio, et quem miserunt ad curiam per supradictum Robertum, canonicum Dublinensem.

Societas Getti Honesti

Isti sunt denarii quos socii societatis Getti Honesti de Luca receperunt de denariis decime Terre Sancte collectis in regno Anglie.

In primis a collectoribus Norwicensibus cccxxxiii li. vi s. viii d. Qui continentur in dicto compoto quem fecerunt predicti archiepiscopus et Gifredus et miserunt ad curiam per predictum Robertum.

Item, receperunt socii dicte societatis Getti Honesti de Luca a collectore arreragiorum decime in Dunelmensi civitate et diocesi constituto xxxviii li. xvi s. Qui continentur in compoto quem fecerunt dicti archiepiscopus et Gifredus octava die mensis Februarii anno domini [fol. 21^v] <millesimo ducento octoginta>¹ tertio, et quem miserunt <ad curiam per>¹ dictum Johannem Baconem.

<Summa omnium>¹ supradictorum que debet et habet in deposito <predicta societas>¹ Getti Honesti de Luca de pecunia decime <Terre>¹ Sancte collecta in regno Anglie ccclxxii li. ii s. viii d.

Societas Raynerii Ardingelli

Isti sunt denarii quos societas Raynerii Ardingelli de Florentia debet et habet in deposito de pecunia decime Terre Sancte collecta in regno Anglie et quos recepit Cante Ardingelli, frater dicti Raynerii et socius dicte societatis.

A . . priore Sancti² Thome iuxta Staford et domino Johanne de Craverie, canonico Lichefeldensi, collectoribus Lichefeldensibus constitutis cc m. Qui continentur in compoto quem dicti archiepiscopus et Gifredus fecerunt die ultimo mensis Martii anno domini millesimo ducento octoginta tertio, et quem miserunt ad curiam per supradictum Robertum, canonicum Dublinensem.

Videtur esse summa omnium summarum predictarum quas debent predictae societates et habent in deposito ut predictur septuaginta milia centum quinquaginta due libre duodecim solidi quinque denarii bonorum sterlingorum

¹ MS. torn and rubbed.

² Sancte, MS.

APPENDIX VII

PARTIAL LIST OF COPIES OF THE VALUATION ASSESSED FROM 1291 TO 1293

The following list is incomplete, and the manuscripts have not been studied critically. Its chief purpose is to indicate where portions of the valuation may be found. Modern copies in manuscript have been disregarded.

1. Copies of the whole valuation or of large parts of it

a. *Taxatio Ecclesiastica Angliae et Walliae Auctoritate P. Nicholai IV circa A.D. 1291*

This edition is based upon a transcript of the valuation preserved at the exchequer. The editors assigned it tentatively to the reign of Henry VI. They collated it with an earlier copy, which is Cotton MS. Tiberius C x, and with some of the earlier rolls of the valuation in the Public Record Office, which are inscribed as original rolls. They collated it also with Harleian Rolls K 38 and K 39, which they regarded as copies of the original rolls written in the exchequer,¹ and with Harleian Roll H 31, which they thought to be the original whence Tiberius C x derived this portion of the valuation.² Though an edition based upon earlier manuscripts is desirable, this edition has been criticized more harshly than it deserves.

b. The original rolls of the valuation in the Public Record Office

These are with little doubt the rolls which were copied at the exchequer in 1294 from the rolls provided by the collectors, the bishops of Winchester and Lincoln.³ They appear to have been given out to the collectors of the half granted to the king by the clergy in 1294, and the same collectors used them for the levy of the tenth granted by the clergy in the next year. Many of them have the sums of the tenth and the half carried out. On 19 February 1297 royal writs addressed to several of the collectors ordered them to render their final accounts at the exchequer on 25 March, bringing with them their writs, tallies and rolls relating to the assessment and collection of the tax.⁴ On some of the rolls it was noted in a contemporary hand that they were received from the collectors by Philip de Willughby, acting treasurer, on 26 March 1297, and on others that they were delivered to the treasury by the collectors at various dates from 1297 to 1306.⁵ On some it was definitely stated that the collector accounted for the half according to that roll.⁶ On the verso of some of the rolls appears the inscription, 'Rotulus originalis,' or 'Rotulus originalis per quem onerantur col-

¹ *Taxatio*, p. 177.

² *Ibid.*, p. 24.

³ Above, p. 354.

⁴ Clerical Subsidy, 67/2.

⁵ *Ibid.*, 68/3, 4, 9, 23, 26, 38, 49, 51, 57.

⁶ *Ibid.*, 68/6, 35.

lectores decime.¹ They were, in other words, the rolls by which collectors of subsequent income taxes granted to the king by the clergy were charged.² Other rolls, however, are marked 'non originalis.'³ Since some of these inscriptions appear to have been entered by contemporary hands, and others not, they do not serve as infallible guides for the selection of the original rolls. The wear of the rolls from long usage and the thongs which fasten together the membranes of the roll also help to classify them. I find it impossible, however, to distinguish between the two with certainty in every instance, and the following list of rolls is to be regarded as only tentative.

Since all of the rolls which appear to be original are in Bundle 68, only the number of the roll is given.

Bangor, 72; Bath and Wells, 45; Canterbury, 49, 51; Chichester, 54; Ely, 62, 63; Exeter, lacking; Hereford, 31, 65, 66; Lichfield, 4, 57, 58, 59; Lincoln, 6, 71, 74, incomplete; Llandaff, 69; London, 9, 10; Norwich, 3, 18–22, 73; Rochester, 23; St Asaph, 43; St Davids, 61; Salisbury, 25, 26, 30; Winchester, 32, 33; Worcester, 35, 36; Carlisle, lacking; Durham, 2; York, 38–40, incomplete.

c. The non-original rolls in the Public Record Office

Many of these rolls were written not long after the valuation was compiled, but others are copies made as late as the fifteenth century.

The rolls are in Bundle 68 unless otherwise noted.

Bangor, 44; Bath and Wells, 46, 47; Canterbury, 48, 50, 52, 53, 8/1a; Exeter, archdeaconry of Cornwall, 24/?; Hereford, 64, 30/3, 35/5, 35/5a, 58/9; Lichfield, 55, 56; Lincoln, 5, 8, 70; Llandaff, 67, 68; London, 12; Norwich, 1, 13, 14, 15, 17, 21; Rochester, 24, 51/155; Saint Asaph, 42; Saint Davids, 60; Salisbury, 27, 28, 52/2; Winchester, 34; York, 37, 41.

Harleian Rolls K 38 and K 39, which relate to the diocese of Salisbury, appear to be of the non-original type found in the Public Record Office.

d. Chancery Misc., Bundle 21, no. 20

A roll of 112 membranes containing the spiritualities only. It is a copy of the rolls in the exchequer made by order of the chancery for use in the chancery. Since it gives the nova taxatio in the diocese of York, the copy was probably written after 1328. The hand is probably of the fourteenth century. The roll is made up of what were originally several different rolls. Many of the membranes in the present roll are out of order.

e. Cottonian MS. Tiberius C x

This codex was not derived from the copies of the valuation in the exchequer. Its items are often given in a different order, its descriptions of the revenues from which the tenth is derived are usually fuller, it contains many items not found in the rolls of the exchequer, and it omits some which are there. It has

¹ *Ibid.*, 68/32.

² My article which will appear in volume II of *The English Government at Work*.

³ Clerical Subsidies, 68/53, 54.

none of the later alterations entered in the manuscripts of the exchequer. It was written after 29 March 1297, since it records in the principal hand of the manuscript a change made on that date.¹ It was probably written before 1317, since it contains the nova taxatio of the province of York in another hand.²

MS. Gough Ecclesiastical, Topographical I, in the Bodleian Library, is a copy of this made by Gough in century xviii.

f. Additional MS. 24,060

The codex is closely related to Tiberius C x, but it is probably derived from a common source and not from Tiberius C x itself. It gives the nova taxatio of the province of York as an integral part of the format and in the main hand of the manuscript.³ In the nova taxatio is included a change in the valuation of the tenth of St Mary's, York,⁴ which was not made until 1335.⁵ Judging by the hand, the manuscript may have been written not long after that date.

g. Cambridge University Library, MS. M m iii 17

This codex follows generally the pattern of Tiberius C x, but it is not derived from that manuscript. It omits not only the nova taxatio but also the change made in 1297. In the diocese of Hereford it notes the sum of the tenth 'preter minuta beneficia,'⁶ but this reference to the valuation of 1302⁷ is added in another hand. Variations of the papal copy of the valuation are noted against several items also in another hand.⁸ Apparently this is an early copy of the valuation, written possibly before 1297.

h. Manuscript of the Dean and Chapter of Lichfield in the Cathedral Library

This is also an early copy, lacking both the nova taxatio and the alteration made in 1297. It also resembles Tiberius C x much more closely than it does the rolls of the exchequer. At the end of several sheaves occurs the notation: 'examinatur Lond'.⁹

i. Muniments of the Dean and Chapter of Lincoln, Press A, shelf 1, no. 11

The copy in this codex is similar to the rolls of the exchequer in some portions and to Tiberius C x in others. It was probably written before 1297.

j. Muniments of the Dean and Chapter of Canterbury, Register M

It follows the rolls of the exchequer and incorporates the changes made in them during the fourteenth century. It appears to have been written late in the fourteenth century, or possibly in the fifteenth.

¹ Fol. 86v.

² Fols. 226v-315.

³ Fols. 386-417v.

⁴ Fol. 402.

⁵ My forthcoming article mentioned above.

⁶ Fol. 39v.

⁷ Above, p. 370; *Taxatio*, p. 175.

⁸ For example, fols. 50v-52v.

⁹ For a description of certain other aspects see my article noted above.

k. Bodleian Library, MS. E Musaeo 21 (Formerly numbered 3595, and before that in the possession of Sir Henry Spelman)

A copy of the valuation of spiritualities only. It is of the type of the rolls of the exchequer and includes the changes made in those rolls. The hand is probably of the fifteenth century, or possibly of the late fourteenth. Stowe MS. 118 is a copy of this manuscript made by Ecton. Bodleian Library, MS. Rawl. B 221 is a transcript of it by Hearne.

l. Bodleian Library, MS. Hatton 89

This contains only the spiritualities of the province of Canterbury. It follows the rolls of the exchequer. The hand appears to be of the late fourteenth century.

2. Valuations of dioceses or portions of dioceses

Bangor

Record of Caernarvon, pp. 226–30.

Willis, *Survey of Bangor Cathedral*, pp. 200–9.

Canterbury

Addit. MS. 6159, fols. 215^v–218^v.

Addit MS. 6160, fols. 125^v–139^v.

Cotton MS. Galba E iv, fols. 3^v–14^v.

Stowe MS. 924, fols. 37–46. This is a transcript of Stowe 935, in which some folios of the valuation are now lacking.

Lambeth Palace Library, MS. 1212, pp. 374–81.

Muniments of Dean and Chapter of Canterbury, Registers A, fols. 441^v–451^v; J, pp. 177–88; K, fols. 119–21; *Cartae Antiquae*, C 255a; C 256a; XYZ Study, MS. E xix, fols. 118–32.

Muniments of Dean and Chapter of Westminster, 72/12324.

Black Book of the Archdeacon of Canterbury, fols. 5–19^v.

Thorne, *Chronicle*, trans. by Davis, pp. 620–41.

Chichester

Muniments of Dean and Chapter of Canterbury, *Cartae Antiquae*, C 1243.

Harl. Roll N 33.

Chichester Diocesan Registry, Liber E, fols. 241–57^v.

Ely

Ely Diocesan Registry, MS. D 5 (1); Reg. of Monte Acuto, fols. 11–12; Reg. of Gray, fols. 220–23.

Harl. Charter E 10.

Exeter

Regs. of Bronescombe, Quivil and Bytton, pp. 450–80.

Oliver, *Monasticon*, pp. 456–71.

Addit. MS. 24057, fols. 88–107^v.

670 *Financial Relations of the Papacy with England to 1327*

Hereford

Reg. of Swinfield, p. 304. (Not given in full by the editor)
Augmentation Office, Misc. Bk. 489.

Lichfield

Shaw, *History and Antiquities of Staffordshire*, I, app. to general history, pp. xix-xxiv.
Treasury of Receipt, Misc. Bk. 58.

Lincoln

Muniments of Dean and Chapter of Lincoln, Press A, shelf 1, no. 13 (2).
Bodleian Library, MS. Bodley Roll 25.
Nichols, *History of Leicestershire*, I, pt. 1, lxx-lxxvi.
Cotton MS. Nero D x, fols. 154-92.
Addit. MS. 35296, fol. 447^v.
Addit. Roll 34278.
Brasenose College, MS. 21, fols. 8-42.
Lincoln Diocesan Record Office, Class xv, 2, 8, and portfolio; Class xviii, Rolls 2-5.

Llandaff

Text of Book of Llan Dav, ed. Evans, pp. 327-31.
Cotton. MS. Vitel. C x, fols. 115-18.

London

Harl. MS. 60.
Harl. Roll H 31.

Norwich

Domesday Book of Norwich.
Muniments of Dean and Chapter of Norwich, uncatalogued roll among misc. documents.
Muniments of Dean and Chapter of Canterbury, Cartae Antiquae N 13a.
Addit. MS. 14848, fols. 291-301^v.
Cambridge University Library, MS. Dd x 34.
Bodleian Library, MS. Tanner 263.

Rochester

Somner, *Rochester Cathedral*, pp. 78-84.
Hearne, *Sprott's Chronicle*, pp. 153-61.
Rochester Diocesan Registry, Reg. Temporalium, fols. 83-84^v.

St Asaph

Willis, *Survey of St Asaph*, II, 55-71.
A copy was in the lost Red Book of St Asaph: *Collectanea Topographica et Genealogica*, II, 277.

Salisbury

Salisbury Diocesan Registry, Reg. of Hallam, six unnumbered folios at the beginning.

Winchester

Harl. Roll N 33.

Winchester Diocesan Registry, Reg. of Beaufort, pt. 1, fols. 1^v–12^v.

Worcester

Nash, *Worcestershire*, I, xl–li.

Carlisle

Carlisle Diocesan Registry, Reg. of Kirkby, pp. 432–35.

Durham

Muniments of Dean and Chapter of Durham, Locellus xviii, 1, 46, 70, 79, 95; xxxviii, uncatalogued roll; Misc.Charter 5373; Reg. Quintum, fols. 266–67^v.

York

Harl. MS. 112, fols. 192–99.

3. Valuations of episcopal, capitular and monastic incomes

Alvingham

Bodleian Library, MS. Laud. 642, fols. 37–39.

Barnwell

Liber de Bernewelle, pp. 201–3.

Battle

Harl. MS. 3596, fols. 50^v, 51, 57.

Blackborough

Cartulary of Blackborough, fols. 166, 166^v. (Printed by Dugdale, *Monasticon*, iv, 207, 208.)

Blyth

Harl. MS. 3759, fol. 4.

Blythburgh

Addit. MS. 40725, fols. 1–3.

Bradenstoke

Stowe MS. 925, fols. 24^v–25^v.

Brecknock

Archaeologia Cambrensis, 4th ser., xiii, 292, 293.

Burton

H.M.C., *Report on MSS. of Lord Middleton preserved at Wollaton Hall*, p. 253.

Bury St Edmunds

Pinchbeck Reg. I, 445–50.

Harl. MSS. 27, fols. 123, 164–74^v; 638, fols. 165^v, 198^v, 199, 223–26, 268^v, 269; 645, fols. 25–26^v, 119; 1005, fols. 63–64.

Addit. MS. 14849, fol. 109^v.

Cambridge University Library, MSS. F f ii 29, fols. 65^v–66; G g iv, 4, fols. 366–370^v.

672 *Financial Relations of the Papacy with England to 1327*

College of Arms, Arundel MS. 30, fols. 180^v–184^v.

Bushmead

Bedfordshire Notes and Queries, III, 131.

Canterbury, archbishop

Lambeth Palace Library, Reg. of Reynolds, fols. 79^v–80.

Canterbury, Christchurch

Addit. MS. 6159, fols. 20, 73^v–84^v.

Addit. MS. 6160, fols. 140–143^v.

Muniments of Dean and Chapter of Canterbury, Reg. J, pp. 344–57.

Lambeth Palace Library, MS. 303, fols. 120–22.

Canterbury, St Augustine

Muniments of Dean and Chapter of Canterbury, XYZ Study, MS. E XIX, fols. 96^v–97.

Thorne, *Chronicle*, trans. by Davis, pp. 620–23.

Chatteris

Cotton. MS. Julius A I, fols. 179, 179^v.

Coventry

Addit. MS. 32100, fols. 40–42^v.

Cumbe

Cotton MS. Vitel. A. I, fol. 162^v.

Darley

Cotton. MS. Titus C IX, fol. 41^v, 42.

Dunmow

Harl. MS. 662, fols. 3^v, 4, 121^v, 124^v, 126.

Dunstable

Publications of Bedfordshire Historical Record Society, x, 248.

Dureford

Cotton. MS. Vesp. E XXIII, fols. 46, 76^v.

Durham, priory

Stowe MS. 930, fols. 68, 68^v.

Muniments of Dean and Chapter of Durham, Reg. Parvum, II, fols. 42, 42^v.

Ely, priory

Bodleian Library, MS. Cambs. Roll 3.

Ely Diocesan Registry, Reg. of Monte Acuto, fols. 14, 14^v.

Evesham

Harl. MS. 3763, fols. 164–67.

Eynsham

Eynsham Cart., II, 90–92.

Fécamp

Clerical Subsidy 14/232.

Furness

Coucher Book of Furness, I, pt. 3, 633–36.

Gerendon

Lansdowne MS. 415, fol. 34.

Glastonbury

Trinity College, Cambridge, MS. 724, fols. 137, 137^v.

Gloucester, St Peter

Hist. et Cart. Gloucestriae, III, 231.

K.R. Memo. Roll 111, m. 110^v.

Godstowe

Exch. K.R. Misc. Bk. 20, fol. 3^v.

Hereford, bishop

Reg. of Swinfield, pp. 283–86.

Willis, *Survey of Cathedrals*, I, 828–34.

Holmeultram

Harl. MS. 3891, fol. 107^v.

Hyde

Harl. MS. 176, fol. 121.

Kirkstall

Coucher Book of Kirkstall, p. 243.

Langdon

Exchequer K. R. Misc. Bk. 29, fol. 176^v.

Langley

Bodleian Library, MS. 242, fol. 4.

Leicester

Cotton MS. Nero D x, fols. 154–56^v.

Leominster

Cotton MS. Domit. A III, fols. 250^v, 251.

Lichfield, bishop

Willis, *Survey of Cathedrals*, I, 821–25.

Llantony Secunda

Llantony Records, A III, fol. 16; A VII, fols. 1, 98.

London, dean and chapter

Muniments of Dean and Chapter of St Paul, Reg. W D 5, fols. 52^v–54^v, 61–62;

W D 9, fols. 39, 39^v, 47^v–48^v; W D 16, fols. 4–5; Statuta Minora, fols.

57–59^v, 66–67^v; Cartae, Press A, Box 77, no. 2053.

Cambridge University Library, MS. E e v 21, fols. 2^v, 71^v–73^v, 85^v–87^v.

Merton

Heales, *Records of Merton*, pp. 174-77.

Newent

Addit. MS. 15668, fols. 93, 105^v.

Northampton, St James

Cotton MS. Tiberius E v, fols. 241^v, 242.

Norwich, priory

Muniments of Dean and Chapter of Norwich, Reg. Quintum, fols. 83-84.

Nostell

Cotton MS. Vesp. E xix, fols. 63-64.

Peterborough

Addit. MS. 25288, fols. 91-92^v.

Muniments of Dean and Chapter of Peterborough, Reg. of Swaffham, fols. 344^v-345; Liber Feodorum, fols. 116-20.

Pipewell

Cotton MS. Otho B xiv, fol. 194^v.

Plympton

Oliver, *Monasticon*, p. 145.

Ramsey

Cart. de Rameseia, II, 202-4, 252-57.

Rochester, bishop

Chichester Diocesan Registry, Liber A, fol. 3^v.

Rochester, priory

Reg. Roffense, pp. 108, 109.

Muniments of Dean and Chapter of Rochester, A. 4. 15, fols. 10^v-13.

St Albans

Cotton MS. Tiberius E vi, fols. 113-115^v, 180^v-185, 247-53.

Reg. Abbatiae Johannis de Whethamstede, II, 326.

St Neots

Cotton MS. Faust. A iv, fols. 22^v, 35^v-36^v.

Salisbury, bishop

Salisbury Diocesan Registry, Reg. of Medford, fols. 108^v, 109; Reg. of Blyth, fol. 85^v; Reg. of John Chaundler, Dean of Salisbury, fol. 10.

Salisbury, dean and chapter

Salisbury Diocesan Registry, Liber Evidentiarius B, fol. 135^v; Reg. of John Chaundler, dean of Salisbury, fols. 145-48.

Muniments of Dean and Chapter, Liber Evidentiarius C, fols. 430^v-431^v; Chapter Act Book x, p. 134.

Shaftesbury

Harl. MS. 61, fol. 120^v.

Sibton

British Museum, Arundel MS. 221, fols. 21, 21^v.

Southwark

Cotton MS. Faust. A viii, fol. 51.

Spalding

Addit. MS. 35296, fols. 40^v–42, 442^v.

Stamford, St Leonard

Muniments of Dean and Chapter of Durham, Locellus xviii, 4, 42.

Thurgarton

Lansdowne MS. 207 E, fols. 67–68^v.

Muniments of Dean and Chapter of Southwell, Cart. of Thurgarton, Flyleaf, fols. 170^v, 183^v.

Tunbridge

Bodleian Library, MS. Kent Roll 6, item t.

Tutbury

College of Arms, Arundel MS. 59, fols. 158^v–159^v.

Trinity College, Cambridge, MS. 697, p. 158.

Twinham

Cotton MS. Tiberius D vi, pt. 2, fols. 53^v–54.

Vale Royal

Harl. MS. 2064, fol. 12.

Ledger-Book of Vale Royal, pp. 25, 26.

Walsingham

Cotton MS. Nero E vii, fol. 152.

Wartre

Bodleian Library, MS. Fairfax 9, fol. 5^v.

Warwick, St Mary

Exch. K.R. Misc. Document 22, fols. 225^v–226^v.

Westminster

Muniments of Dean and Chapter of Westminster, 72/12231, 12233, 12234, 12249, 12250, 12337, 12349, 12360.

Cambridge University Library, MS. K k v 29, fols. 16^v–17.

Bentley, *Abstract of Charters*, pp. 70, 71.

Wetherel

Muniments of Dean and Chapter of Carlisle, Cartulary of Wetherel, fol. 26^v.

Worcester, bishop

Willis, *Survey of Cathedrals*, II, 838–40.

Worcester Diocesan Registry, Reg. of Maidstone, inside of original cover.

Wymondham

Cambridge University Library, MS. E e iii 44, pp. 19–24.

York, St Peter

Cotton MS. Vitel. A ii, fols. 113–14.

APPENDIX VIII

COMPUTATION OF THE ROYAL RECEIPTS FROM THE TRIENNIAL TENTH IMPOSED IN 1301

						£	s.	d.
Received to 20 November 1302						13,933	15	2 ¹
Received 20 November 1302 to 20 November 1303						6,066	13	4 ²
“ “ “ 1303 “ “ “ 1304						8,362	15	2 ³
“ “ “ 1304 “ “ “ 1305						11,060	5	51½ ⁴
“ “ “ 1305 “ “ “ 1306						2,250	5	11½ ⁵
“ “ “ 1306 “ 7 July 1307						17	5	7 ⁶
“ 8 July 1307 “ 8 “ 1308						181	18	0 ⁷
“ “ “ 1308 “ “ “ 1309						365	19	0 ⁸
“ “ “ 1309 “ “ “ 1310						124	3	5 ⁹
“ “ “ 1310 “ “ “ 1311						197	19	6 ¹⁰
“ “ “ 1311 “ “ “ 1312						52	18	01½ ¹¹
“ “ “ 1312 “ “ “ 1313						60	0	0 ¹²
“ “ “ 1313 “ “ “ 1314						99	13	4 ¹³
“ from Testa and Sancto Quintino between 5 September 1310 and 18 March 1313						125	0	0 ¹⁴
Total						42,898	10	111½

¹ Clerical Subsidy, 42/2a; *C.P.R.* 1301-7, pp. 32, 52. Partially duplicated by *C.P.R.* 1301-7, pp. 27, 37, 39, 42, 43, 46, 52, 65, 74; Exch. K.R. Accounts, 354/10, fol. 7v; 360/23, mems. 4, 6; 360/25, m. 6; 369/16, fol. 3v; 371/8, m. 50; Exch. K.R. Ecclesiastical Documents, 10/3, 10/4.

² Exch. K.R. Accounts, 364/14, m. 1; 365/6, fol. 2. Duplicated in part by *C.P.R.* 1301-7, pp. 114, 143, 154, 158, 162, 163; Exch. K.R. Accounts, Army, 10/24; Wardrobe 354/10, fol. 9v; 364/13, fol. 48; 365/6, fols. 1v-2; Exch. K.R. Ecclesiastical Document, 10/2, m. 1.

³ Exch. K.R. Accounts, 365/6, fols. 23, 23v, 33v. Partly duplicated by *C.P.R.* 1301-7, pp. 211, 216, 217, 234, 235; Exch. K.R. Accounts, 365/10, p. 16; 366/14, m. 1; Exch. K.R. Ecclesiastical Document, 10/2, m. 1; Addit. MS. 35292, fols. 22, 55. This sum may be too small. The descriptions in 365/6 are vague, making it difficult to distinguish duplicate entries. Doubtful entries have been considered duplicates.

⁴ Exch. K.R. Accounts, 366/17, mems. 18, 22; 368/7, fols. 2, 2v, 6v-9v; *C.P.R.* 1301-7, pp. 292-301, 363, 364. The three duplicate one another in part; other duplicates are Exch. K.R. Accounts, 365/10, pp. 16, 25-27, 82; 366/17, mems. 1-3, 9, 12, 19v, 21v; 367/16, p. 12; 367/23, m. 1; Addit. MS. 35292, fols. 63v-65v.

⁵ Clerical Subsidy, 67/3a; *C.P.R.* 1301-7, pp. 449-53; Exch. K.R. Accounts, 368/7, fols. 19, 20. The last two largely duplicate the first; other duplicates are Exch. K.R. Accounts, 368/7, fols. 12v, 22; 368/25, m. 1; 368/27, fol. 23.

⁶ *C.P.R.* 1301-7, p. 506.

⁷ Exch. of Receipt, Misc. Roll 87, m. 1. Duplicated by Misc. Roll 88; *C.P.R.* 1307-13, pp. 66, 67.

⁸ Exch. of Receipt, Misc. Roll 87, mems. 2-3; *C.P.R.* 1307-13, pp. 111, 122. Duplicated by *C.P.R.* 1307-13, pp. 98-102, 140, 143, 146.

⁹ *C.P.R.* 1307-13, pp. 191, 192, 209.

¹⁰ *Ibid.*, pp. 266, 267, 359.

¹¹ *Ibid.*, pp. 394, 395.

¹² Exch. K.R. Accounts, 374/5, fol. 7v. Duplicated by *C.P.R.* 1307-13, p. 357.

¹³ Exch. K.R. Accounts, 540/22, fol. 4v; *C.P.R.* 1313-17, p. 33.

¹⁴ The sum received from the arrears of the tenths imposed by Nicholas IV and Boniface VIII was £702 6s. 8d., but the amount from each is not distinguished: *C.P.R.* 1307-13, pp. 400, 589. The above estimate is based on the ratio of the receipts from the two tenths as reported by Testa in 1311: Lunt, 'William Testa,' *E.H.R.*, xli, pp. 355, 356.

APPENDIX IX

PAYMENTS OF COMMON SERVICES BY ENGLISH PRELATES

<i>Archbishop, bishop or abbot</i>	<i>Amt. pledged or paid to pope</i>	<i>Amt. pledged or paid to cardinals</i>	<i>Total amt. pledged or paid for common service</i>	<i>Total amt. of loan</i>	<i>Total expense</i>
Alexander IV					
Ely, 1257	_____	_____	_____	2500 m. ¹	_____
Winchester, 1260	1,300 m.	800 m. ²	_____	_____	_____
Bury, 1257	_____	_____	_____	_____	2,000 m. ³
Westminster, 1258	300 m.	300 m. ⁴	_____	_____	_____
Westminster, 1259	_____	_____	_____	1000 m. ⁵	_____
Urban IV					
Winchester, 1262	_____	_____	_____	4000 m. ⁶	_____
St Albans, 1263	_____	_____	_____	£800 ⁷	_____
Waltham, 1264	_____	_____	_____	_____	_____ ⁸
Clement IV					
York, 1266	_____	_____	_____	2000 m. or more ⁹	_____
Gregory X					
Canterbury	_____	_____	_____	_____	3,000 m. ¹⁰

¹ *Cart. de Rameseia*, I, 69.

² *Regs. d'Urbain IV*, I, 31, 68, 75, 160, 474; *Regs. de Clément IV*, 779.

³ Florence of Worcester, *Cont.*, p. 186.

⁴ *Regs. d'Urbain IV*, II, 42.

⁵ Coombe, *History of Westminster*, I, 166; *Cal. Pap. Regs. Letters*, I, 364.

⁶ *Regs. d'Urbain IV*, I, 75. The continuator of Gervase of Canterbury said that he served the pope with 6000 m. and the vice chancellor with 6000 m.: pp. 218, 219. It is tempting to assume that he confused the vice chancellor with a representative of the college of cardinals and marks with florins. If the chronicler made these errors, the bishop paid 1200 m. each to the pope and the college, which was the sum that later became customary.

⁷ *Regs. d'Urbain IV*, I, 165, 167. The annalist of St Albans said that the proctors of the abbot were empowered to borrow £1100: *Gesta Abbatum*, I, 399.

⁸ In 1266 the abbot, who had been confirmed in 1264, visited the pope and clerks of the court with 80 m.: Lunt, *Valuation of Norwich*, p. 524. It was probably an instalment of services, including some petty services. 'Visitare' was often used in English sources of the period to designate services: above, pp. 463, 464. The visitation tax had probably not yet been established, and Waltham did not become liable for it after it was instituted: above, pp. 483-85.

⁹ He was paying 1,000 m. a year by permission of Clement IV: *Reg. of W. Giffard*, pp. 117, 118.

<i>Archbishop, bishop or abbot</i>	<i>Amt. pledged or paid to pope</i>	<i>Amt. pledged or paid to cardinals</i>	<i>Total amt. pledged or paid for common service</i>	<i>Total amt. of loan</i>	<i>Total expense</i>
St Augustine, Canterbury, 1273	————	————	————	1,500 m. at least ¹	————
Nicholas III					
Canterbury, 1279	————	————	————	————	4,000 m. ²
Bury, 1279	————	————	————	————	900 m. ³
Martin IV					
Westminster, 1283	————	————	————	350 m. or more ⁴	————
Nicholas IV					
Exeter, 1292	————	————	————	————	———— ⁵
St Albans, 1291	400 m.	400 m.	————	1,250 m. ⁶	————
Celestine V					
Canterbury, 1294	————	————	————	————	1,744 m. at least ⁷
Boniface VIII					
Ely, 1299	————	————	1,200 m. ⁸	————	————
Ely, 1302	600 m. ⁹	————	1,200 m. ¹⁰	————	————
Norwich, 1299	————	————	————	12,000 fl. ¹¹	————

¹⁰ The expenses of the election: Gervase of Canterbury, *Cont.*, pp. 273, 274.

¹ Entered under the expenses of the election is the cost of writing two charters and public instruments concerning two sums amounting to 1500 m.: Lambeth Palace Library, MS. 242, fol. 11v. Apparently they were the obligatory letters for loans of that amount.

² *Reg. of Peckham*, I, 17–20, 48, 49, 105, 106.

³ Lambeth Palace Library, MS. 644, no. 46. One chronicler of Bury put the total cost to the abbot, including the journey to Rome, at 1675 m. 10s. 9d.; another at 1175 m. 10s. 9d.: Oxenedes, *Chron.*, p. 255; Florence of Worcester, *Cont.*, p. 223.

⁴ In 1286 the sum of £233 6s. 8d. was still due on the abbot's bond to merchants of Siena for his bull at the time of his confirmation: Muniments of Dean and Chapter of Westminster, 28812.

⁵ Records of partial payments to the college of cardinals: Oblig. 1A, fols. 16, 21.

⁶ *Gesta Abbatum*, II, 17, 18; *Cal. Pap. Regs. Letters*, I, 602.

⁷ The expenses of the chapter in obtaining the confirmation which the archbishop undertook to repay: Cambridge University Library, E e v 31, fols. 50, 77; Muniments of Dean and Chapter of Canterbury, Cartae Antiquae, A 190, C. 227. He may have borrowed more of the merchants in his own name. Somner puts the expenses of his proctors outside of England at 2500 m., but gives no authority: *Antiq. Cant.*, App. to Supplement, p. 19.

⁸ He first obliged himself for 1500 m. The sum was changed successively to 1000 m. and 1200 m.: Oblig. 1, fols. 10v, 13, 18v.

⁹ *Reg. Clementis V*, app. i, 261.

¹⁰ Oblig. 1, fol. 18v.

¹¹ Said in one letter to be in behalf of himself only and in another to be in behalf of himself and the bishop elect of Ely: *Cal. Pap. Regs. Letters*, I, 582, 583

<i>Archbishop, bishop or abbot</i>	<i>Amt. pledged or paid to pope</i>	<i>Amt. pledged or paid to cardinals</i>	<i>Total amt. pledged or paid for common service</i>	<i>Total amt. of loan</i>	<i>Total expense</i>
St Davids, 1296	————	1,500 fl. ¹	————	1,000 m. ²	————
Worcester, 1302	————	————	300 m. ³	1,000 fl. ⁴	————
York, 1298	————	————	2,000 m. ⁵	5,500 m. ⁶	————
York, 1300	————	————	2,000 m. ⁷	5,000 m. ⁸	————
Bury, 1302	————	————	500 m. ⁹	————	————
St Albans, 1303	————	————	720 m. ¹⁰	————	————
Waltham	————	240 m. ¹¹	————	————	————
Clement V					
Canterbury, 1313	————	5,000 fl. ¹²	10,000 fl. ¹³	15,000 fl. ¹⁴	————
London, 1306	————	————	3,000 fl. ¹⁵	————	————
Worcester, 1308	750 fl. ¹⁶	————	300 m. ¹⁷	————	————
Worcester, 1313	————	————	2,000 fl. ¹⁸	3,000 fl. ¹⁹	————
York, 1306	————	————	2,000 m. ²⁰	6,000 m. ²¹	————
Bury, 1313	————	————	600 m. ²²	————	————
St Augustine, Canterbury, 1309	650 fl. ²³	————	1,300 fl. ²⁴	————	————
Durham priory, 1307	————	1,500 fl. ²⁵	3,000 fl. ²⁶	————	————
St Albans, 1309	————	————	720 m. ²⁷	————	————

¹ Kirsch, *Finanzverwaltung*, p. 125. The equivalent of 300 m.

² *Cal. Pap. Regs. Letters*, I, 564; *Regs. de Boniface VIII*, 1105, 1188.

³ *Oblig.* 1, fol. 18^v.

⁴ *Cal. Pap. Regs. Letters*, I, 604.

⁵ *Oblig.* 1, fol. 7.

⁶ *Cal. Pap. Regs. Letters*, I, 574.

⁷ *Oblig.* 1, fol. 12.

⁸ *Cal. Pap. Regs. Letters*, I, 586.

⁹ *Oblig.* 1, fol. 17^v.

¹⁰ *Ibid.* According to the annalist of the abbey the payment for common service was 1008 m.: *Gesta Abbatum*, II, 56.

¹¹ *Oblig.* 1A, fols. 39, 40.

¹² *Oblig.* 4.

¹³ *Reg. Clementis V*, app. i, 254.

¹⁴ *Cal. Pap. Regs. Letters*, II, 121.

¹⁵ *Reg. Clementis V*, app. i, 205; *Oblig.* 1, fol. 41.

¹⁶ *Reg. Clementis V*, app. i, 311.

¹⁷ The entry specifies that a mark equals 5 florins: *Oblig.* 1, fol. 41.

¹⁸ *Oblig.* 1, fol. 57^v; *Reg. Clementis V*, app. i, 254.

¹⁹ *Cal. Pap. Regs. Letters*, II, 119; Worcester Diocesan Registry, Reg. of Hemenhale, document inserted at beginning of reg.

²⁰ *Oblig.* 1, fol. 27^v; *Regs. Clementis V*, app. i, 204.

²¹ *Reg. Clementis V*, 1073; MS. Ottoboniano Latino 2546, fols. 114^v, 115^v.

²² *Reg. Clementis V*, app. i, 249.

²³ *Introitus et Exitus* 10, fol. 4^v.

²⁴ *Reg. Clementis V*, app. i, 229; *Oblig.* 1, fol. 44^v.

²⁵ *Historiae Dunelmensis Scriptores Tres*, p. civ.

²⁶ *Reg. Clementis V*, app. i, 228; *Oblig.* 1, fol. 44.

²⁷ *Oblig.* 1, fol. 42^v; *Reg. Clementis V*, app. i, 226.

<i>Archbishop, bishop or abbot</i>	<i>Amt. pledged or paid to pope</i>	<i>Amt. pledged or paid to cardinals</i>	<i>Total amt. pledged or paid for common service</i>	<i>Total amt. of loan</i>	<i>Total expense</i>
Waltham, 1308	1,200 fl. ¹	————	480 m. ²	————	————
Westminster, 1308	————	————	400 m. ³	8,200 fl. ⁴	————

John XXII

Carlisle, 1325	500 fl. ⁵	————	1,000 fl. ⁶	————	————
Durham, 1318	4,500 fl. ⁷	————	9,000 fl. ⁸	£2,000 ⁹	————
Exeter, 1327	2,500 fl. ¹⁰	————	5,000 fl. ¹¹	————	————
Hereford, 1317	900 fl. ¹²	————	1,800 fl. ¹³	————	————
Hereford, 1327	————	————	1,800 fl. ¹⁴	————	————
Lichfield, 1322	1,750 fl. ¹⁵	1,750 fl. ¹⁶	3,500 fl.	————	————
Lincoln, 1320	2,500 fl. ¹⁷	————	5,000 fl. ¹⁸	————	————
Llandaff, 1323	————	————	700 fl. ¹⁹	————	————
Norwich, 1325	2,500 fl. ²⁰	————	1,000 m. ²¹	————	————
Rochester, 1319	650 fl. ²²	————	1,300 fl. ²³	————	————
Winchester, 1320	6,000 fl. ²⁴	————	————	£2,000 ²⁵	————
Winchester, 1323	6,000 fl. ²⁶	————	12,000 fl. ²⁷	————	————

¹ *Reg. Clementis V*, app. i, 290.² Oblig. 1, fol. 37; *Reg. Clementis V*, app. i, 218.³ *Reg. Clementis V*, app. i, 234.⁴ *Cal. Pap. Regs. Letters*, II, 70; Muniments of Dean and Chapter of Westminster, 53/9454-56.⁵ Göller, *Einnahmen unter Johann XXII*, pp. 182, 197.⁶ Oblig. 6, fol. 47^v.⁷ Göller, *Einnahmen*, pp. 125, 133, 138.⁸ Oblig. 6, fol. 4.⁹ *Historiae Dunelmensis Scriptores Tres*, p. cxvii; Surtees, *History of Durham*, I, p. cxxix, app. no. 14.¹⁰ Göller, *Einnahmen*, pp. 220, 235.¹¹ Oblig. 5, fol. 65; 10, fol. 48; *Reg. of Grandisson*, I, 323-25.¹² *Introitus et Exitus* 24, fol. 7.¹³ Oblig. 6, fol. 5.¹⁴ Oblig. 6, fol. 64^v.¹⁵ *Introitus et Exitus* 54, fols. 13^v, 15^v.¹⁶ Oblig. 3, fol. 98^v; 7, fol. 52^v.¹⁷ *Introitus et Exitus* 41, fols. 9^v, 21^v, 106, 107.¹⁸ Oblig. 6, fol. 22^v.¹⁹ Oblig. 8, fol. 10^v.²⁰ *Introitus et Exitus* 72, fol. 19; 81, fol. 16.²¹ Oblig. 6, fol. 49^v.²² Oblig. 7, fol. 9^v.²³ Oblig. 6, fol. 19^v.²⁴ *Introitus et Exitus* 41, fols. 10^v, 45^v, 107; 54, fol. 13; *Reg. Avin.*, 47, fols. 393^v, 502, 582.²⁵ *Cal. Pap. Regs. Letters*, II, 231.²⁶ *Introitus et Exitus* 58, fol. 127; 65, fol. 18^v; 72, fol. 15^v.²⁷ Oblig. 6, fol. 35.

<i>Archbishop, bishop or abbot</i>	<i>Amt. pledged or paid to pope</i>	<i>Amt. pledged or paid to cardinals</i>	<i>Total amt. pledged or paid for common service</i>	<i>Total amt. of loan</i>	<i>Total expense</i>
Worcester, 1317	1,000 fl. ¹	1,000 fl. ²	2,000 fl. ³	————	————
Worcester, 1327	1,000 fl. ⁴	————	2,000 fl. ⁵	————	————
York, 1317	5,000 fl. ⁶	————	10,000 fl. ⁷	————	————
Durham priory, 1325	————	————	3,000 fl. ⁸	————	————
Evesham, 1317	500 fl. ⁹	500 fl. ¹⁰	1,000 fl. ¹¹	————	————
St Albans, 1326	1,800 fl. ¹²	————	720 m. ¹³	————	————
Tavistock, 1327	————	————	1,000 fl. ¹⁴	————	————
Westminster, 1315	1,000 fl. ¹⁵	————	400 m. ¹⁶	————	————
Westminster, 1316	————	————	400 m. ¹⁷	————	————

¹ Introitus et Exitus 16, fol. 91v.² Oblig. 4, fol. 19.³ Oblig. 6, fol. 4v.⁴ Göller, *Einnahmen*, pp. 213, 222.⁵ Oblig. 6, fol. 64v; 10, fol. 47.⁶ Göller, *Einnahmen*, pp. 115, 120.⁷ Oblig. 6, fol. 9.⁸ Oblig. 8, fol. 135v.⁹ Göller, *Einnahmen*, p. 107.¹⁰ Oblig. 4, fol. 12v.¹¹ Oblig. 1, fol. 61v; Oblig. 6, fol. 3.¹² Göller, *Einnahmen*, pp. 215, 231.¹³ *Gesta Abbatum*, II, 190, 191.¹⁴ Oblig. 6, fol. 65; 10, fol. 48.¹⁵ Göller, *Einnahmen*, p. 106.¹⁶ Oblig. 6, fol. 1v.¹⁷ Oblig. 1, fol. 59v.

APPENDIX X

THE REPORT OF WILLIAM TESTA FOR THE YEAR 1 OCTOBER 1310 TO 1 OCTOBER 1311¹

Instrumenta Miscellanea 5187

Item, fuerunt aliqua beneficia dimissa ad firmam post redditum <computi>² quinquenii supradicti in diocesis infrascriptis, que in ipso quinquennio non fuerant dimissa ad firmam, videlicet in diocesi Roffensi³ pro x li. vi s. viii d.,⁴ que fuerunt postea solute.

Item, in diocesi Londoniensi fuerunt beneficia dimissa pro lxx li. ix s. iiii d., de quibus sunt solute xxiii li. x s. x d., et debentur adhuc xlvi li. xiii s. iiii d.

Item, in diocesi Cicestrensi fuerunt beneficia dimissa pro cix li. vi s. viii d., de quibus sunt solute lxxvi li. xiii s. iiii d., et debentur adhuc xxxii li. xiii s. iiii d.

Item, in diocesi Wyntoniensi fuerunt beneficia <dimissa pro xxviii li.,>⁵ de quibus sunt solute xxi li., et debentur adhuc vii li.

Item, in diocesi Sarisberiensi fuerunt beneficia dimissa pro viii li. xiii s. iiii d.; solutum est.

Item, in diocesi Exoniensi fuerunt beneficia dimissa pro xxiii li. xviii s.;⁶ solutum est.

Item, in diocesi Bathoniensi et Wellensi fuerunt beneficia dimissa pro xxxvi li. xvi s. viii d., de quibus sunt solute vi li. viii s. viii d., et debentur adhuc xxx li. viii s.

Item, in diocesi Wygorniensi fuerunt beneficia dimissa pro xi⁷ li. que adhuc debentur.

Item, in diocesi Coventrensi et Lichfeldensi fuerunt beneficia dimissa pro l li. xiii s. iiii d., de quibus sunt solute xiii li. vi s. viii d., et debentur adhuc xxxvii li. vi s. viii d.

Item, in diocesi Norwycensi fuerunt beneficia dimissa pro cii li. xiii s. iiii d., de quibus sunt solute lxiii li., et debentur adhuc xxxviii li. xiii s. iiii d.

Item, in diocesi Lincolniensi fuerunt beneficia dimissa pro cviii li., de quibus sunt solute xli li. ii s., et debentur adhuc lxvi li. xviii s.

¹ A membrane or part of a membrane which contained an introductory statement has been lost. The report contains the expenses of Garsie Arnaud for the sixth year, it refers to the report of the fifth year as the last preceding report, and the balance of the quinquennial tenth owed to the pope in this report is said in the report of the seventh year to be the amount left due by the report of the sixth year. The sixth year of Testa's collectorship ran between the above dates: Lunt, 'William Testa', *E.H.R.*, xli, 355.

² MS. torn; one or two other words may be lacking.

³ Followed by *et sunt dimissa ad firmam* deleted by a line.

⁴ Followed by *solutum est* deleted by a line.

⁵ Conjectural because the MS. is torn.

⁶ A mark followed by a tear in the MS. indicates that the sum included some pence.

⁷ MS. rubbed; it may be *vi*.

Summa arrendamenti dictorum beneficiorum post dictum computum ad firmam dimissorum v^o lix li. iii s. x d., de quibus sunt solute ii^o iii^{xx} ix li. iii s. vi d., et debentur adhuc ii^o lxx li. xix s. iii d.

Item de quarta parte decime quinquennalis fuerunt solute post finem computi quinquennii supradicti v^m iii^o iii^{xx} xiiii li. xvi s. x d. quad., quibus deductis de tota summa decime que spectat ad dominum papam in toto quinquennio supradicto, computando decimam ad xviii^m li., omnibus expensis deductis, restant adhuc ad levandum iii^m vi^o lii li. i d. Et est sciendum quod dominus¹ papa non debet recipere quartam suam de dicta decima quinquennali nisi de iii^o^{or} annis dumtaxat, quia unus annus fuit integre concessus domino Edwardo, tunc principi Wallie et nunc regi Anglie, de dicta decima. Et sic in toto quinquennio non haberet nisi unum annum integrum² dominus noster dumtaxat, in quo decima non ascendet omnibus expensis deductis estimative³ nisi ad xviii^m li., ut predicatur.

Item, de denariis Sancti Petri remanserunt ad solvendum in fine computi dicti quinquennii iii^o lvii li. iii s., de quibus sunt solute clxxvi li. viii s. iii d., et debentur adhuc c iii^{xx} li. xv s. viii d.

Item, de censibus ecclesie Romane remanserunt ad solvendum in fine dicti quinquennii lxxvii⁴ s. iii d., qui fuerunt postea soluti, et ultro⁵ nichilominus fuerunt soluti lxx s.⁶ vii d.

Summa receptus de censibus vi li. xvii s. xi d.

Item, de obventionibus, que in incertis consistunt, fuerunt levate post finem computi quinquennii supradicti vii li. v s. iii d.

Item, de debitis domini Raimundi fuerunt solute post finem computi supradicti viii^o lxiiii li.

Item, fuerunt solute in plenam solutionem debiti m li. quo tenebatur episcopus Dunelmensis iii^o li.

Item, de arreragiis decime sexennalis remanserunt ad levandum in fine computi supradicti iii^m v^o lxxv li. x s. xi d. ob. quad. que sunt communicanda cum rege. De quibus fuerunt solute tam pro parte domini pape quam regis viii^o l⁷ li. v s. vi d. quad. De quibus⁸ est pars domini pape,⁹ deductis xvii li. iii s. iii d. pro expensis factis circa collectionem adhuc¹⁰ arreragiarum et obventionum, que, ut predicatur, communicantur cum rege, iii^o xvi li. xi s. i d., et tantundem domini regis. Et restant adhuc ad levandum iii^m vii^o xxv li. v s. vi d. ob. tam pro papa quam pro rege.

¹ The four preceding words are written over two illegible words deleted by a line.

² A blot obscures some letters in the word.

³ Extended in full in MS.

⁴ *lx* followed by a blotted *x*, which appears to be an intentional deletion, followed by *vii*.

⁵ *ult* with sign of abbreviation in MS.

⁶ Followed by *xi d.* deleted by a line.

⁷ *l viii^o* in MS.

⁸ Followed by a deleted short word which is illegible.

⁹ Followed by *iii^o* deleted by a line.

¹⁰ The reading doubtful on account of interlineation.

Summa summarum predictarum omnium receptorum pro parte domini pape¹ viii^m viii^o xl li. vii s. xi d.

Liberationes

De quibus fuerunt liberati per dominum Vitalem de Testa et magistrum G. Boni camere domini pape v^m ii^o lx florenos tam in parvis quam in magnis, qui decostiterunt in universe viii^o xxxi li. ii s. vii d. ob.

Item, fuerunt liberata per eosdem dicte camere unus salmarius et duo paria bogiarum de corio qui decostiterunt v li.² x s.

Item, fuerunt liberate camere per manus magistri Guillelmi de Prato et Galhardi de Pinsaco v^m iii^o l li.

Item, fuerunt liberate de mandato domini camerarii domino Petro de Galiciano xxxix li.

Item, fuerunt liberate camere domini pape³ per manus magistri Guillelmi Galterii ix^o lxxv li.

Summa dictarum⁴ liberationum vii^m ii^o li. xii s. vii d.

Expense domini Garssie Arnaldi

Item, in expensis ordinariis domini Garssie Arnaldi pro dicto anno sexto pro iii^o lxx diebus, computando vi s. per diem, cix li. x s.

Item, in expensis extraordinariis eiusdem per idem tempus xvi li. v s. viii d.

Summa dictarum expensarum cxxv li. xv s. viii d.

Expense circa negotia domini pape

Primo, per magistrum Guillelmum Boni cambium in Flandria proquirendo, ac nunciis missis magistro Guillelmo de Prato ut veniret ad reddendum rationem de perceptis per eum in provincia Eboracensi,⁵ translatione pecunie <ap>ud⁶ Caley's in xii^{cim} ⁷ saccis lane, affretatione navis et⁸ amissione in venditione⁹ saccarum lane,¹⁰ expensis factis per familiam dictam pecuniam transferendo, et alias¹¹ ipsam computando et liberando Galhardo de Pinsaco et magistro Guillelmo de Prato, duobus roncinis,¹² expensis litterarum apostolicarum que commisserunt

¹ The preceding six words are written over the following words deleted by lines: *deducta parte regis de decima sexannali et obventionibus ac deductis expensis factis circa eandem decimam et obventiones que quidem expense ascendunt ascendunt (sic) ad summam xvii ii. iii s. iiii d.*

² Followed by *x d.* deleted by a line.

³ Followed by *per manus domini G. Arnaldi et domini Vitalis de Testa san* deleted by a line. The last word, which appears to be unfinished, is so blotted as to be illegible.

⁴ *dictorum*, MS.

⁵ Over *Cantuariensi* deleted.

⁶ A rub in the MS. renders the first two letters illegible.

⁷ The reading may be *xiii*.

⁸ The two preceding words are partially obscured by a small tear in the MS.

⁹ The last six letters of the word are obscured by a rub.

¹⁰ *lana*, MS.; there may be a short word between *lana* and *expensis* rendered illegible by a rub in the MS.

¹¹ *al* with a line through the *l* in the MS.

¹² Followed by this passage deleted by a line: *pro eundo* (reading doubtful) *ad curiam ad reddendum rationem finalem de* (two illegible words) *in curia, expensis unius famuli infirmi.*

factorum,¹ expensis factis per dictum² Vitalem et³ Guillelmum Boni computum reddendo et ipsius aquietatem explicando, ac litteris aquietatem,⁴ et⁵ arnesio unius salmerii per eos ad curiam ducti, et quibusdam aliis in minutis expensis clxix li. vii s. ii d.

Item, in conviviiis regalium xx li.

Item, in conviviis commissorum et aliorum superintendentium x li.

Summa xxx li.

Expense cursorum

Item, tam pro nunciis missis ad curiam quam per Angliam litteras portantibus super negotiis domini nostri pape et specialiter super executionibus faciendis per commissarios seu subcollectores quam debitores fructuum beneficiorum vacantium, denariorum Sancti Petri et censuum Romane ecclesie et aliorum officiorum sibi in hac parte commissorum <factis expensis xi>⁶ x li. x s.

Item, pro salario domus xiii li. vi s. viii d.

Item, pro narratoribus tam in curia domini regis quam in civitate Londoniensi et apud civitates⁷ alias vii li.

 $\angle > 8$

Item, pro minutis expensis solutis pro libris factis⁹ de < >¹⁰ pro beneficiis vacantibus et aliis officiis < >¹¹ olim in eo deputatis et commissis, scripturis litterarum executoriarum < >¹¹ et aliis praelibatis rotulis transcribendis, quibusdam archis ferratis emptis,¹² quibusdam aliis archis procurandis,¹³ balistis cum sagetis¹⁴ armaturis pro domo, panno lineo ad faciendo¹⁵ saculos ad ponendam pecuniam, et quibusdam aliis minutis expensis xiii li. xix s. vii d.

Summa summarum omnium predictarum¹⁶ tam liberationum quam expensarum <vii^m>¹⁷ v^c lxxix li. xi s. viii d.

Quibus deductis a summa receptorum que est viii^m viii^c xl li. vii s. xi d.

[The final entry, which presumably displayed the balance due from the collector,¹⁸ is lost by a tear at the end of the manuscript.]

¹ Followed by this passage deleted by a line: *portatium* (sic) *ipsarum apud Londoniam*.

² Followed by *dominum* deleted by a line.

³ Followed by *magistrum* deleted by a line.

⁴ Apparently so in MS.

⁵ Over *ac* blotted and apparently deleted.

⁶ Reading doubtful on account of a tear in MS.

⁷ Extension doubtful.

⁸ The bottoms of the loops of three letters indicate that a caption has been destroyed by a tear in the MS.

⁹ Reading doubtful on account of a rub in the MS.

¹⁰ Several words lost by a tear in the MS.

¹¹ A few words lost by a tear in the MS.

¹² Followed by *et procurandis* deleted by a line.

¹³ Over *et emptis* deleted by a line.

¹⁴ Extended in MS.

¹⁵ Extended in MS.

¹⁶ *predictorum*, MS.

¹⁷ A tear renders this part of the figure illegible. This is the sum of the totals given above, and the bottoms of the loops which are visible are right for *vii*.

¹⁸ Only the sign for pence preceded by a number part of which is lost are visible.

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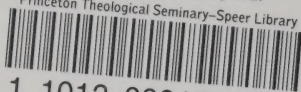
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